



FLUVANNA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
September 6, 2023 at 5:00 pm

TAB AGENDA ITEMS

1 - CALL TO ORDER

2 - PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

3 – ADOPTION OF AGENDA

4 – COUNTY ADMINISTRATOR’S REPORT

5 – PUBLIC COMMENTS #1 (5 minutes each)

6 – PUBLIC HEARING

7 – ACTION MATTERS

- A Authorization to Advertise Public Hearing to Consider a Quitclaim Deed from the County to the Fluvanna Historical Society – Dan Whitten, County Attorney
- B Solar Taxation Selection – Eric Dahl, County Administrator
- C A Resolution Recommending Support of a Comprehensive Agreement Addendum by the James River Water Authority – Eric Dahl, County Administrator

7A – APPOINTMENTS

- D Board, Commission, and Committee Appointments – Eric Dahl, County Administrator

8 – PRESENTATIONS (normally not to exceed 10 minutes each)

- E 2023 Legislative Update – David Blount, Deputy Director/Director of Legislative Services TJPDC
- F VDOT Quarterly Report – Scott Thornton, Residency Administrator/Louisa Residency
- G Dominion Energy Update – Sarah A. Marshall, Manager- State & Local Affairs, Regional Public Policy, Central & Western Virginia, Dominion Energy
- H Constitutional Officer Pay Policy – Eric Dahl, County Administrator
- I Tourism Branding and Marketing Campaign Launch – Jennifer Schmack, Director of Economic Development and Aaron Spitzer, Director of Parks and Recreation

9 – CONSENT AGENDA

- J Minutes of August 16, 2023 – Caitlin Solis, Clerk to the Board
- K Minutes of August 30, 2023 – Caitlin Solis, Clerk to the Board
- L HVAC Apprentice Position Description – Donna Snow, Director of Human Resources
- M CRMF - Transportation and Bus Safety – Don Stribling, FCPS Executive Director
- N CRMF - Abrams and IT Security – Don Stribling, FCPS Executive Director
- O FOIA Rights and Responsibilities Amendments and Designating a New FOIA Officer – Dan Whitten, County Attorney
- P ARPA – Law Enforcement Equipment Grant – Tori Melton, Finance Director

Fluvanna County is committed to providing an excellent quality of life for our citizens and businesses through the efficient delivery of core services and programs, while preserving the unique identity and rural character of the County.

- Q Four-for-Life Supplemental Appropriation – Tori Melton, Director of Finance
- R Fluvanna County Rescue Squad Budget Transfer to Emergency Services – Tori Melton, Finance Director
- S Requesting a Deputy Sheriff/SRO position to be reclassified to a Sergeant SRO position – Donna Snow, Director of Human Resources, and Eric Hess, Sheriff

10 – UNFINISHED BUSINESS

TBD

11 – NEW BUSINESS

TBD

12 – PUBLIC COMMENTS #2 (5 minutes each)

13 – CLOSED MEETING

TBD

14 – ADJOURN



County Administrator Review

PLEDGE OF ALLEGIANCE

I pledge allegiance, to the flag,
of the United States of America,
and to the Republic for which it stands,
one nation, under God, indivisible,
with liberty and justice for all.

GENERAL RULES OF ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Board to discuss the matter.
3. No member or citizen shall be allowed to use defamatory or abusive language directed at any member of the Board or other person, to create excessive noise, or in any way incite persons to use such tactics. The Chair shall be the judge of such breaches, however, the Board may by majority vote of the Board members present and voting to overrule the judgment of the Chair.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

RULES OF PROCEDURE FOR PUBLIC HEARINGS

1. PURPOSE
 - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
 - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
 - Speakers should approach the lectern so they may be visible and audible to the Board.
 - Each speaker should clearly state his/her name and address.
 - All comments should be directed to the Board.
 - All questions should be directed to the Chairman. Members of the Board are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
 - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
 - Speakers with questions are encouraged to call County staff prior to the public hearing.
 - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
 - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
 - The Board will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
 - Further public comment after the public hearing has been closed generally will not be permitted.

Fluvanna County is committed to providing an excellent quality of life for our citizens and businesses through the efficient delivery of core services and programs, while preserving the unique identity and rural character of the County.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB A

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Authorization to Advertise a Public Hearing to Consider a Quitclaim Deed from the County to the Fluvanna Historical Society				
MOTION(s):	I move that the Board of Supervisors advertise for a public hearing on October 18th to consider a quitclaim deed from the County to the Fluvanna Historical Society for Tax Map Number 54A-1 Lots 37, 38, 53 and 54.				
BOS 2 YEAR GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Dan Whitten, County Attorney				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	Motion to approve advertisement for public hearing				
TIMING:	Advertise for public hearing on October 18, 2023				
DISCUSSION:	<p>The Free Hill Cemetery is located with the former Town of Colombia and was the burying ground for many local residents. The property was conveyed from David Ross to five trustees by deed dated September 9, 1805. The charter of the Town of Colombia was revoked by Act of the General Assembly in 2016, and all public property of the former Town reverted by operation of law to Fluvanna County including any interest in the subject property. The records of the Commissioner of Revenue list the property in the name of the Colombia Baptist Church. However, the County desires to execute a quitclaim deed which will deed any right, title and interest that County has in the property to the Fluvanna Historical Society. Virginia Code Section 15.2-953 authorizes gifts of real property from the County to non-profit organizations. Virginia Code Section 15.2-1800 authorizes the County to dispose of any interest in real property after a properly advertised public hearing. The Fluvanna Historical Society can then quitclaim the property to the Colombia Baptist Church.</p>				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

(Seal)

PUBLIC HEARING
Fluvanna County Board of Supervisors
Wednesday, October 18, 2023, at 7:00 p.m.

Pursuant to Virginia Code Section 15.2-1800, a Public Hearing will be held in the Carysbrook Performing Arts Center, at 8880 James Madison Highway, Fork Union, Virginia for citizens of the County to have the opportunity to appear before and be heard by the Board of Supervisors for the following item:

APPROVAL OF A QUITCLAIM DEED FROM FLUVANNA COUNTY TO THE FLUVANNA COUNTY HISTORICAL SOCIETY FOR FOUR PARCELS OF PROPERTY IDENTIFIED AS TAX MAP NUMBER 54A-1 LOTS 37, 38, 53 AND 54 LOCATED WITHIN THE FORMER TOWN OF COLOMBIA

A COPY OF THE QUITCLAIM DEED IS AVAILABLE FOR REVIEW IN THE OFFICE OF THE COUNTY ADMINISTRATOR DURING REGULAR OFFICE HOURS.

All interested persons wishing to be heard are invited to attend the public hearing.

TO: Fluvanna Review

Advertise on the following dates: October 12, 2023

Authorized by: Fluvanna County Board of Supervisors

Bill to: Board of Supervisors

CONTACT INFORMATION:

Caitlin Solis
Clerk, Board of Supervisors
Fluvanna County
P. O. Box 540
Palmyra, VA 22963
csolis@fluvannacounty.org
434-591-1910
434-591-1913

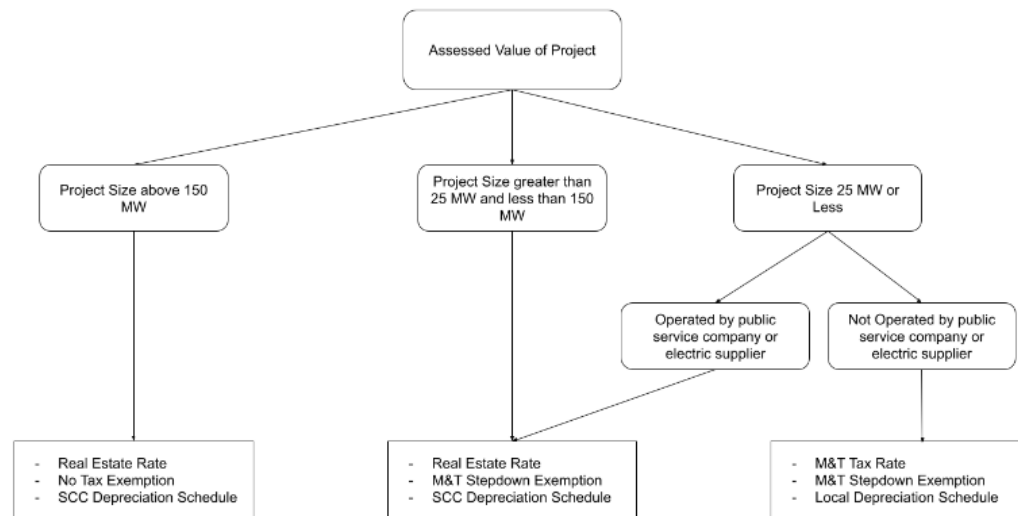
**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB B

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Solar Taxation Selection				
MOTION(s):	<p>I move the Board of Supervisors approve the following taxation option for solar generation development:</p> <ol style="list-style-type: none"> 1. Maintain the default taxation option to levy a Machinery and Tools (M&T)/Real Estate tax on the capital improvements in the solar generation facility. <p align="center">OR</p> <ol style="list-style-type: none"> 2. Authorize staff to draft a Revenue Share ordinance for the Board’s consideration with income being derived from solar facilities at a flat rate of \$1,400 per megawatt of nameplate generation capacity per year. 				
BOS 2 YEAR GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Eric Dahl, County Administrator and Mel Sheridan, Commissioner of the Revenue				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Motion to approve a solar taxation option.				
TIMING:	Routine				
DISCUSSION:	<p>In 2020 the General Assembly passed HB1131, which “Authorizes any locality by ordinance to assess a revenue share of up to \$1,400 per megawatt on any solar photovoltaic (electric energy) project with certain exceptions and expands an existing tax exemption for such projects under certain conditions.” With this change, Virginia localities may now choose between two taxation options to generate revenues from large-scale solar development. The default option is to levy a Machinery and Tools (M&T)/Real Estate tax on the capital improvements in the solar generation facilities. Alternatively and previously discussed, a locality may adopt a Revenue Share ordinance, which in effect replaces the default M&T option. With a Revenue Share ordinance, localities receive income from solar facilities at a flat rate in dollars per megawatt of nameplate generation capacity per year (e.g. Project megawatt x \$1,400 = Revenue Share Income). Once localities enact a Revenue Share ordinance, that is the revenue generation model implemented for all solar photovoltaic (electric energy) projects in the County moving forward until such time the ordinance is removed.</p> <p>The University of Virginia Weldon Cooper Center for Public Service has worked to assist localities and provides the below guidance for taxation through their Virginia Solar Initiative: “For the M&T/Real Estate tax model, the tax rate, depreciation schedule, and exemption rate applied to projects can vary based on the size of the solar project and who is</p>				

operating the project. There are three possible ways the M&T/Real Estate tax model can be applied to a project based on these parameters:

- If a project is 25 MW or less and is not owned by an electric supplier, electric company (Dominion, APCo, or Old Dominion Power) or an electric cooperative, the M&T tax rate is used along with the locality's depreciation schedule and the M&T stepdown exemption rate.
- If a project is greater than 25 MW and less than 150 MW OR is owned by an electric supplier, electric company (Dominion, APCo, or Old Dominion Power) or an electric cooperative, the real estate tax rate is applied to the project along with the SCC depreciation schedule, the M&T stepdown exemption rate, and local assessment ratios. Projects that are less than 25 MW and are owned by electric suppliers are taxed using these parameters.
- All projects 150 MW and greater will use the real estate tax rate and the SCC depreciation schedule. There is no mandatory tax exemption applied on these projects”



Comparisons using Fluvanna County tax rates vs. revenue share have been made for the following:

- Projects less than 25MW – For this example, a 20 MW project was used as the baseline comparison. As you can see from the included comparison of M&T and Revenue Share, the County has a pretty aggressive depreciation schedule for M&T. With this, the financial model clearly shows Revenue Share is the financially advantageous method for this project over a 35 year period of time (\$1,123,104 Revenue Share vs. \$403,750 M&T)
- Projects greater than 25MW and less than 150MW – For this example, a 40 MW project was used as the baseline comparison. As you can see from the included comparison of M&T and Revenue Share for this financial model, M&T taxation is the financially advantageous method for this project over a 35 year period of time (\$4,069,373 M&T vs. \$2,674,972 Revenue Share)

We are using the above project megawatt sizes for comparison, since we have interest from solar providers in these megawatt ranges. The above estimates are for equipment

	<p>only and do not include consideration of revenues for potential increases in real estate value.</p> <p>We didn't include projects greater than 150MW, but the M&T taxation model would also be more advantageous for the County over a 35 year period of time.</p>				
FISCAL IMPACT:	Depends on what revenue model is selected.				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	<ul style="list-style-type: none"> • Solar Revenue Model Comparison – 20MW Project • Solar Revenue Model Comparison – 40MW Project 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X	X			COR

20 Megawatt Solar Facility (\$1.7 million per MW Cost to Construct) - 35 Years

Step down M&T

Cost of Construction	Deprec.	Year	M&T Rate	Revenue	Revenue Share
\$34,000,000	25%	2024	\$1.90	\$32,300	\$22,400
\$34,000,000	25%	2025	\$1.90	\$32,300	\$22,400
\$34,000,000	25%	2026	\$1.90	\$32,300	\$24,640
\$34,000,000	25%	2027	\$1.90	\$32,300	\$24,640
\$34,000,000	25%	2028	\$1.90	\$32,300	\$24,640
\$34,000,000	25%	2029	\$1.90	\$48,450	\$24,640
\$34,000,000	25%	2030	\$1.90	\$48,450	\$24,640
\$34,000,000	25%	2031	\$1.90	\$48,450	\$27,104
\$34,000,000	25%	2032	\$1.90	\$48,450	\$27,104
\$34,000,000	25%	2033	\$1.90	\$48,450	\$27,104
\$34,000,000		2034	\$0.00	\$0	\$27,104
\$34,000,000		2035	\$0.00	\$0	\$27,104
\$34,000,000		2036	\$0.00	\$0	\$29,808
\$34,000,000		2037	\$0.00	\$0	\$29,808
\$34,000,000		2038	\$0.00	\$0	\$29,808
\$34,000,000		2039	\$0.00	\$0	\$29,808
\$34,000,000		2040	\$0.00	\$0	\$29,808
\$34,000,000		2041	\$0.00	\$0	\$32,640
\$34,000,000		2042	\$0.00	\$0	\$32,640
\$34,000,000		2043	\$0.00	\$0	\$32,640
\$34,000,000		2044	\$0.00	\$0	\$32,640
\$34,000,000		2045	\$0.00	\$0	\$32,640
\$34,000,000		2046	\$0.00	\$0	\$35,600
\$34,000,000		2047	\$0.00	\$0	\$35,600
\$34,000,000		2048	\$0.00	\$0	\$35,600
\$34,000,000		2049	\$0.00	\$0	\$35,600
\$34,000,000		2050	\$0.00	\$0	\$35,600
\$34,000,000		2051	\$0.00	\$0	\$39,680
\$34,000,000		2052	\$0.00	\$0	\$39,680
\$34,000,000		2053	\$0.00	\$0	\$39,680
\$34,000,000		2054	\$0.00	\$0	\$39,680
\$34,000,000		2055	\$0.00	\$0	\$39,680
\$34,000,000		2056	\$0.00	\$0	\$43,648
\$34,000,000		2057	\$0.00	\$0	\$43,648
\$34,000,000		2058	\$0.00	\$0	\$43,648
TOTAL				\$403,750	\$1,123,104

40 Megawatt Solar Facility (\$1.7 million per MW Cost to Construct) - 35 years

Cost of Construction	SCC Depreciated Value	Local Assessment Ratio Value	Year	Real Estate Rate	Step down RE Revenue	Revenue Share
\$68,000,000	\$61,200,000	\$57,381,120	2024	\$0.844	\$96,859	\$53,200
\$68,000,000	\$61,200,000	\$57,381,120	2025	\$0.844	\$96,859	\$53,200
\$68,000,000	\$61,200,000	\$57,381,120	2026	\$0.844	\$96,859	\$58,520
\$68,000,000	\$61,200,000	\$57,381,120	2027	\$0.844	\$96,859	\$58,520
\$68,000,000	\$61,200,000	\$57,381,120	2028	\$0.844	\$96,859	\$58,520
\$68,000,000	\$61,200,000	\$57,381,120	2029	\$0.844	\$145,289	\$58,520
\$68,000,000	\$61,200,000	\$57,381,120	2030	\$0.844	\$145,289	\$58,520
\$68,000,000	\$61,200,000	\$57,381,120	2031	\$0.844	\$145,289	\$64,372
\$68,000,000	\$60,989,200	\$57,183,474	2032	\$0.844	\$144,789	\$64,372
\$68,000,000	\$59,955,600	\$56,214,371	2033	\$0.844	\$142,335	\$64,372
\$68,000,000	\$58,860,800	\$55,187,886	2034	\$0.844	\$186,314	\$64,372
\$68,000,000	\$57,704,800	\$54,104,020	2035	\$0.844	\$182,655	\$64,372
\$68,000,000	\$56,480,800	\$52,956,398	2036	\$0.844	\$178,781	\$70,794
\$68,000,000	\$55,175,200	\$51,732,268	2037	\$0.844	\$174,648	\$70,794
\$68,000,000	\$53,794,800	\$50,438,004	2038	\$0.844	\$170,279	\$70,794
\$68,000,000	\$52,332,800	\$49,067,233	2039	\$0.844	\$165,651	\$70,794
\$68,000,000	\$50,782,400	\$47,613,578	2040	\$0.844	\$160,743	\$70,794
\$68,000,000	\$49,143,600	\$46,077,039	2041	\$0.844	\$155,556	\$77,900
\$68,000,000	\$47,396,000	\$44,438,490	2042	\$0.844	\$150,024	\$77,900
\$68,000,000	\$45,553,200	\$42,710,680	2043	\$0.844	\$144,191	\$77,900
\$68,000,000	\$43,594,800	\$40,874,484	2044	\$0.844	\$137,992	\$77,900
\$68,000,000	\$41,520,800	\$38,929,902	2045	\$0.844	\$131,427	\$77,900
\$68,000,000	\$39,324,400	\$36,870,557	2046	\$0.844	\$124,475	\$85,690
\$68,000,000	\$36,992,000	\$34,683,699	2047	\$0.844	\$117,092	\$85,690
\$68,000,000	\$34,523,600	\$32,369,327	2048	\$0.844	\$109,279	\$85,690
\$68,000,000	\$31,898,800	\$29,908,315	2049	\$0.844	\$100,970	\$85,690
\$68,000,000	\$29,124,400	\$27,307,037	2050	\$0.844	\$92,189	\$85,690
\$68,000,000	\$26,180,000	\$24,546,368	2051	\$0.844	\$82,869	\$94,240
\$68,000,000	\$23,065,600	\$21,626,307	2052	\$0.844	\$73,010	\$94,240
\$68,000,000	\$19,754,000	\$18,521,350	2053	\$0.844	\$62,528	\$94,240
\$68,000,000	\$16,252,000	\$15,237,875	2054	\$0.844	\$51,443	\$94,240
\$68,000,000	\$12,539,200	\$11,756,754	2055	\$0.844	\$39,691	\$94,240
\$68,000,000	\$8,602,000	\$8,065,235	2056	\$0.844	\$27,228	\$103,664
\$68,000,000	\$6,800,000	\$6,375,680	2057	\$0.844	\$21,524	\$103,664
\$68,000,000	\$6,800,000	\$6,375,680	2058	\$0.844	\$21,524	\$103,664
TOTALS					\$4,069,373	\$2,674,972

Notes:

1. Cost to Construct is \$1.7 million per MW AC per Avg. from SCC 2021 Assessed Values
2. SCC Depreciated Value per year
3. Local Assessment Ratio Value is Avg. of Fluvanna's ratio from 2017-2021
4. Public Service Corporation Rate is same as Real Estate Rate
5. Revenue Share is per § 58.1-2636 of VA Code w/July 1 effective date 10% increase every 5 years

Estimates are for equipment only and do not include consideration of revenues for potential increases in real estate value.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB C

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	A Resolution Recommending Support of a Comprehensive Agreement Addendum by the James River Water Authority				
MOTION(s):	I move the Board of Supervisors approve “A Resolution Recommending Support of a Comprehensive Agreement Addendum by the James River Water Authority.”				
BOS 2 YEAR GOALS?	Yes	No	If yes, which goal(s):	C4	
	X				
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Immediate to keep the timing of the project moving forward and to lock in the Design/Build contract price.				
DISCUSSION:	<p>The James River Water Authority is a fifty percent joint effort between the Counties of Fluvanna and Louisa which is intended to provide a long-term source of water for both localities and reduce reliance on groundwater by withdrawing water from the James River.</p> <p>Staff will review with the Board the JRWA construction, construction administration, permitting, property acquisition and cultural resource costs on the project. The estimated total cost for the project is \$45,610,650. The James River Water Authority has received a Guaranteed Maximum Price of \$39,687,850 from the Design/Build contractor working on the projects final design and construction components. Fifty percent of the cost, or \$19,843,925 is Fluvanna County’s share. The items totaling \$5,922,800 under “Total Permitting, Property Acq. and Const. Support Costs” are estimates at this point.</p> <p>The next step is for the James River Water Authority to approve the Comprehensive Agreement Addendum, which will lock in the contract price to move forward with finishing the design and locking in prices for critical path materials. Action by the Board of Supervisors on this resolution is needed to determine support of the project moving forward. In the coming months, further financing will be required by the JRWA board. Those future approvals will require support resolutions from both localities for the financing, beyond this resolution in front of the board now.</p>				
FISCAL IMPACT:	To be determined; based on if any awards are received for grants applied for, Dominion Proffer funding for Water Supply Improvements and selection of needed financing.				

POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	<ul style="list-style-type: none"> • A Resolution Recommending Support of a Comprehensive Agreement Addendum by the James River Water Authority • JRWA Project Costs 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X	X			X

ITEM	DESCRIPTION	COSTS
1	Mobilization	\$575,000
2	General Conditions	\$1,480,000
3	Design & Construction Engineering Services	\$3,850,000
4	Surveying	\$110,000
5	Railroad Insurance/Flagging & Improvements	\$350,000
6	Material Storage & Handling	\$700,000
7	Pump Station Laydown	\$35,000
8	Clearing for UG Electric Across Bremono Road	\$7,000
9	Existing Utility Protection & Potholing	\$75,000
10	Erosion Controls	\$475,000
11	Wetland and Sensitive Area Restoration	\$85,000
12	Temporary Construction Roads & Clearing	\$150,000
13	Pump Station Site Access Road	\$1,110,000
14	Site Access Road Storm Improvements	\$220,000
15	Pump Station Site Work	\$2,035,000
16	Pump Station Work	
16a	General Conditions	\$700,000
16b	Concrete + Structural	\$2,900,000
16c	Metals	\$880,000
16d	Equipment	\$1,500,000
16e	Mechanical	\$1,060,000
16f	Electrical	\$3,600,000
16g	Controls	\$410,000
17	Furnish & Install Porta Dam	\$715,000
18	Intake Pipe Work	\$585,000
19	Intake Structure	\$850,000
20	Build Access Road Down Ramp Into River	\$30,000
21	Restore Bank of James River with Class 2 Rip Rap	\$175,000
22	Dewater Swale Between Pump Station & Swale	\$30,000
23	24" Raw Water Line	\$9,800,000
24	Water Line Appurtenances	\$2,080,000
25	Water Line Testing	\$200,000
26	Rail Road & Electrical Jack & Bore	\$500,000
27	Jack & Bore Electrical Under Bremono Road (Now Open Cut)	\$55,000
28	Route 6 Jack & Bore	\$170,000
29	Jack and Bore at 127+00 Bremono Road (Now Open Cut)	\$70,000
30	Jack and Bore at 133+00 Gale Hill Road (Now Open Cut)	\$110,000
31	Rivanna Crossing- Open Cut	\$960,000
32	Rock Blasting & Removal	\$370,000
33	Site & Easement Restoration	\$460,000
34	QC testing	\$185,000
35	SWPP Development & Inspections	\$35,850
TOTAL CONTRACT CONSTRUCTION COSTS		\$39,687,850.00

Cultural Resource Consultants - (Through Mar. 2024)	\$50,000
CR Fieldwork & Study- PH III	\$3,000,000
MOA Costs - (Through Dec. 2023)	\$27,500
Construction Insp./Project Mgmt. Consultant (30 months)	\$700,000
Dominion Energy Electric Construction	\$1,000,000
Wetland Mitigation Credits	\$5,000
CSX Encroachment Agreement	\$7,500
USACE Permit	\$100
Nutrient Credits	\$100,000
Property Acquisition/Easements	\$1,000,000
Survey and Environmental Support - (Through Dec. 2023)	\$32,700
TOTAL PERMITTING, PROPERTY ACQ. AND CONST. SUPPORT COSTS	\$5,922,800.00
TOTAL JRWA PROJECT COSTS	
	\$45,610,650.00



BOARD OF SUPERVISORS
 County of Fluvanna
 Palmyra, Virginia
RESOLUTION No. 27-2023

**A Resolution Recommending Support of a Comprehensive Agreement Addendum
 by the James River Water Authority**

WHEREAS, the James River Water Project is a joint effort between the Counties of Fluvanna and Louisa which is intended to provide a long-term source of water for both localities and reduce reliance on groundwater by withdrawing water from the James River, and;

WHEREAS, the project is administered by the James River Water Authority (JRWA), whose membership is comprised of representatives from both Counties; and

WHEREAS, after initial contemplation of the pump station's location near the confluence of the James and Rivanna Rivers at Point of Fork, permitting concerns compelled consideration of a location further upstream on the James and delayed construction by several years; and

WHEREAS, due to the associated increase in the scope of the project and significant recent inflation in construction costs, the cost of the project has increased; and

WHEREAS, an addendum to the initial project contract and additional funding will be required as detailed in the attached, and the JRWA Board will consider the same at a future meeting.

NOW, THEREFORE, BE IT RESOLVED, on this 6th day of September, 2023, that the Fluvanna County Board of Supervisors recommends support by the JRWA Board of the aforementioned contract addendum and additional funding by the James River Water Authority Board.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors on this 6th day of September 2023.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District						
Patricia B. Eager, Palmyra District						
Chris Fairchild, Cunningham District						
Anthony P. O'Brien, Rivanna District						
John M. Sheridan, Columbia District						

Attest:

 Mozell H. Booker, Chair
 Fluvanna County Board of Supervisors

FLUVANNA COUNTY BOARD OF SUPERVISORS BCC APPOINTMENTS STAFF REPORT

TAB D

MEETING DATE:	September 6, 2023		
AGENDA TITLE:	Board, Commission, and Committee Appointments		
MOTION:	I move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s):		
Board/Commission/Committee	Appointees	Begins Term	Ends Term
James River Water Authority – Fluvanna Citizen Representative	Patricia Eager	9/6/2023	12/31/2025

BCC VACANCIES AND APPLICANTS				
BCC Vacancies	Applicants	Appt	District	Current BCC Appointments / Other Notes
James River Water Authority – Fluvanna Citizen Representative	Patricia Eager	Appt	Palmyra	Unexpired term to begin immediately and end December 31, 2025.

DISCUSSION:	- James River Water Authority – Fluvanna Citizen Representative – One position available. Unexpired term (previously held by Joe Chesser) to begin September 6, 2022 and end December 31, 2025.
ENCLOSURES:	Candidate Applications

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB E

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	2023 Thomas Jefferson Planning District Legislative Program Update				
MOTION(s):	N/A				
BOS GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	David C. Blount, Deputy Director/Director of Legislative Services TJPDC				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	<p>The draft program lists three top legislative priorities for 2023 as follows:</p> <ol style="list-style-type: none"> 1. Public Education Funding 2. Budgets and Funding 3. Broadband 				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Thomas Jefferson Planning District 2023 Legislative Priorities				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X



- 2023 Legislative Priorities -

PUBLIC EDUCATION FUNDING

We urge the State to fully fund its share of the realistic costs of the Standards of Quality (SOQ) without making policy changes that reduce funding or shift funding responsibility to localities.

- Localities need an adequately-defined SOQ that closes the gap between what school divisions are providing and what the State currently funds in the SOQ.
- We support adequate pipeline programs for teachers, especially in critical shortage areas.
- Localities and school divisions should have flexibility in the use of state funds provided for school employee compensation.
- We support funding and policies for hiring school bus drivers and mental health professionals.

BUDGETS AND FUNDING

We urge the governor and legislature to enhance state aid to localities and public schools, to not impose mandates on or shift costs to localities, and to enhance local revenue options.

- Adequate state investment for local service delivery is crucial.
- We oppose unfunded state and federal mandates and the cost shifting that occurs when the State or the federal government fails to fund requirements or reduces or eliminates funding for programs.
- We support additional and strengthened revenue options for localities in order to diversify the local revenue stream; the state should not restrict local revenue sources or confiscate or redirect local general fund dollars to the state treasury.
- Any tax reform efforts should examine financing and delivery of state services at the local level and how revenue is generated relative to our economic competitiveness.

BROADBAND

We urge and support state and federal efforts and financial incentives that assist localities and their communities in deploying universal, affordable access to broadband technology in unserved areas.

- We support additional dollars for localities and the private sector to help extend service to areas unserved by any broadband provider.
- Cooperative efforts among private broadband, internet and wireless companies, and electric cooperatives to ensure access to service at an affordable cost are key to success.
- We support state and federal efforts to address concerns such as easement usage associated with broadband deployment and to maintain local land use and permitting authorities.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB F

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	VDOT Quarterly Report				
MOTION(s):	N/A				
BOS GOALS?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Scott Thornton, VDOT Residency Administrator				
RECOMMENDATION:	Information Only				
TIMING:	Routine				
DISCUSSION:	Quarterly VDOT update.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	VDOT Quarterly Report				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB G

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Update on Dominion Energy Activity in Fluvanna County				
MOTION(s):	N/A				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Sarah A. Marshall, Manager- State & Local Affairs, Regional Public Policy, Central & Western Virginia, Dominion Energy				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	Update on Dominion Energy activity in Fluvanna County.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB H

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Constitutional Officer Pay Policy				
MOTION(s):	N/A				
BOS 2 YEAR GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Information Only				
TIMING:	Routine				
DISCUSSION:	Prior to January 18, 2017, the County did not have a policy in place to address the starting salaries of newly elected Constitutional Officers. The Board of Supervisors adopted Personnel Policy 2.8.6 Constitutional Officer Pay on January 18, 2017. It was requested to bring the Constitutional Officer Pay Policy back for the Board of Supervisors for review.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	Personnel Policy 2.8.6. Constitutional Officer Pay was adopted by the Board of Supervisors January 18, 2017				
ENCLOSURES:	Personnel Policy 2.8.6. Constitutional Officer Pay				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

F. Temporary Special Pay Increases. The County Administrator may authorize the following increases upon completion of an approved certification/licensure or upon beginning an approved Deputy Sheriff Temporary Assignment.

Certificate	\$ 500
Licensure	\$ 1,000

Temporary Assignment Certifications (Deputy)	
Court Security-Civil Process (CSCP)	\$ 500
Drug Abuse Resistance Education (DARE)	\$ 500
Detective I	\$ 500
General Instructor	\$ 500
Field Training Officer (FTO)	\$ 1,000
Range Master	\$ 1,000
Motor Officer	\$ 1,000
Master Deputy	\$ TBD Annually

G. Application and Processing

1. Department Heads, Constitutional Officers, or Agency Heads or their designees shall complete and submit a “Personnel Action Request (PAR)” form to Human Resources for special pay consideration, along with any required documentation. The form requires the employee to provide specific information and to certify that the information is correct, and recommendations from the employee’s supervisor and Director/Constitutional Officer/Agency Head.

2. When possible and to help ensure applicability, requests should be submitted and preliminarily approved prior to enrollment.

3. The HR Manager shall review the request and make a recommendation to the County Administrator for final approval/disapproval.

4. HR files the completed PAR form in the employee’s personnel record.

2.8.6. Constitutional Officer Pay

BOS adopted – January 18, 2017

A. Starting Salary. The starting salary for newly elected Constitutional Officers will be set at the minimum amount that must be paid to the Constitutional Officer by the local government as established by the General Assembly and reimbursed by the State’s Compensation Board. Per State Code § 15.2-1605.1, however, the Board of Supervisors may approve a higher starting salary. The Board may consider education, experience, special skills or certifications, and proficiency in related former role(s) when determining that a higher starting salary is appropriate.

B. Salary for Interim Appointments. The salary for an appointed interim Constitutional Officer will be the minimum amount that must be paid to the Constitutional Officer by the local government as established by the General Assembly.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB I

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Tourism Branding and Marketing Campaign Launch				
MOTION(s):	N/A				
BOS 2 YEAR GOALS?	Yes	No	If yes, list goal(s):	D1 & D5	
	X				
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Jennifer Schmack, Director of Economic Development Aaron Spitzer, Director of Parks and Recreation				
PRESENTER(S):	Jennifer Schmack, Director of Economic Development Aaron Spitzer, Director of Parks and Recreation				
RECOMMENDATION:	Information only.				
TIMING:	Routine				
DISCUSSION:	In January 2023, Fluvanna County received an American Rescue Plan Act Tourism Recovery Program Grant. Funds were used to create a full branding and marketing campaign focusing tourism outreach efforts on visitors looking for a relaxing daytrip featuring agribusinesses, art, history, outdoor recreation, and rural scenes.				
FISCAL IMPACT:	\$60,000 grant awarded to Fluvanna County with no county match required.				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB J

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors August 16, 2023 Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors Regular Meeting on Wednesday August 16, 2023, be adopted.				
BOS 2 YEAR GOALS?	Yes	No	If yes, list goals(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				XX	
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	None.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Draft Minutes August 16, 2023.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

**FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
August 16, 2023
Regular Meeting 7:00pm**

MEMBERS PRESENT:

Mozell Booker, Fork Union District, Chair
Patricia Eager, Palmyra District, Vice Chair
John M. (Mike) Sheridan, Columbia District
Tony O’Brien, Rivanna District
Chris Fairchild, Cunningham District

ABSENT:

None.

ALSO PRESENT:

Eric M. Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Dan Whitten, County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE

At 7:00pm, Chair Booker called to order the Regular Meeting of August 16, 2023. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

- Mr. Dahl asked to add JRWA Board Member and Coffee and Conversations Meetings to New Business

MOTION:	Accept the Agenda, for the August 16, 2023 Regular Meeting of the Board of Supervisors, as amended.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:

Announcements and Updates - New Employees

- Eugene (Steven) McVey, Finance Department, Purchasing Officer, Started August 7th
- Karis White, County Attorney Office, Paralegal/Legal Assistant, Started August 7th
- Kristin Blackburn, Emergency Services, EMTs Advanced Life Support (ALS), Started August 7th
- Michael Morris, Emergency Services, EMTs Advanced Life Support (ALS), Started August 7th
- Richard Frakes, Emergency Services, EMT Basic Life Support (BLS), Started August 7th
- Kiara Spencer, Emergency Services, EMT Basic Life Support (BLS), Started August 10th
- Brian Allen, Emergency Services, EMTs Basic Life Support (BLS), Started August 10th

Staff and Community Recognitions

- Social Services distributed 45 backpacks and school supplies donated by Lake Christian Church.
- A big thank you goes out to Lake Christian Church for the donations and to Jane Wilson with DSS for coordinating the project.

NEW STAGE AT PLEASANT GROVE PARK

- This project was planned in 2019 as a way to save money for the County when renting a stage for the annual County Fair (tent rental ~ \$2,200) as well as to have a shaded place to put on various performances throughout the year for community residents and visitors.
- Funding for the project was from the FY’20 budget and \$5,000 has been carried over yearly until recent completion.
- Total project cost was \$6,313.65
- Zachary Harris of Scout Troop 154 finally agreed to take on the project in 2022 as his Eagle Scout project completing it in 2023.
- Matt Stancil and Aaron Spitzer from Parks and Recreation constructed the ADA ramp for final inspection.
- First performance on the stage will be Crimson Current on August 17 starting at 6pm during the County Fair.
- First planned performance for a community event is on September 9 from 6 - 8pm. Event will be called “Groovin’ at the Grove” and is being put on by members of EDTAC. The local band that is scheduled to play is called “Route Six”. More information to follow as planning completes.

Board of Supervisors Minutes

2023 FLUVANNA COUNTY FAIR INFORMATION

- The Fluvanna County Fair will be held August 17 - 19, 2023 with opening times August 17 & 18 at 5pm and August 19 at 10am.
- There are a variety of attractions at the Fair this year: Carnival as always, Live Entertainment daily, Monster Truck rides Thursday and Friday, Axe Women of Maine daily shows, daily petting zoo and kids zone, beer garden on Friday and Saturday, Axe throwing area on Saturday, along with the Rodeo to cap off the Fair on Saturday night. Plus many more events daily!
- There will be over 60 non-food vendors and over 15 food vendors at the event!
- Special THANK YOU to all the SPONSORS of the County Fair, with them this event would not be possible!

Announcements and Updates

- Join us for the first Groovin' at the Grove concert
- Route 6 will be performing
- September 9, 2023 from 6:00pm to 8:00pm at Pleasant Grove Park
- Free admission
- Food trucks will be available

Next BOS Meetings

Day	Date	Time	Purpose	Location
Wed	Sept 6	5:00 PM	Regular Meeting	Performing Arts Center
Wed	Sept 20	7:00 PM	Regular Meeting	Performing Arts Center
Wed	Oct 4	5:00 PM	Regular Meeting	Performing Arts Center

5 - PUBLIC COMMENTS #1

At 7:10pm, Chair Booker opened the first round of Public Comments.

- Tim Hodge, 264 Manor Blvd, commented on the BOS Bylaws agenda item.

With no one else wishing to speak, Chair Booker closed the first round of Public Comments at 7:10pm.

6 - PUBLIC HEARING

ZMP 23:03 Caroline and Christopher Minsky – Douglas Miles, Community Development Director

ZMP 23:03 Caroline and Christopher Minsky - An ordinance to amend proffers of ZMP 19:02 with respect to 7.5 acres of Tax Map 4 Section A front portion of Parcel 27 which is zoned I-1. This case amendment would permit previously proffered out commercial uses such as a retail store. There is a retail furniture store with warehouse space that would like to occupy this existing building. The front portion of the property is known as 2428 Richmond Road and is in the Zion Crossroads Community Planning Area and the Palmyra Election District.

The Minsky redevelopment Minor Site Plan would:

- Offset parking areas from public roadways with shade trees, ornamental shrubs and materials.
- Dumpster and Recycling enclosure area shall be screened by materials compatible with principal structure such as brick or other durable materials.
- Applicants plan to utilize the existing brick building to operate their home furnishings and furniture store by making quality improvements to the property.
- Additional rear acreage would remain undeveloped at this time and may have seasonal artisan markets.

I-1 Proffers: Excluded I-1 Land Uses

I-1 Zoning by Right land uses excluded:

Car washes, Gas stations, Laundries, Indoor shooting ranges, Research laboratories, Temporary sawmills, Self-storage facilities, Solid waste collection facilities and Vehicle impound facilities.

I-1 Zoning by SUP land uses excluded:

Outdoor shooting ranges, Sanitary landfills, Permanent sawmills, Solid waste material recovery facilities, Aviation facilities and Major utilities.

I-1 Zoning District: by right permitted Land uses:

Financial institutions (banks) Flea markets (art shows) Professional schools, General retail store (household goods and furniture) Large scale retail store (more than 30,000 square feet) Neighborhood convenience retail store (household supplies and hardware store)

These are the land uses that they have asked to be added back into the I-1 permitted land uses that are currently proffered out by current property owner.

Board of Supervisors Minutes

Compliance with Comprehensive Plan

- The subject property is located in the Zion Crossroads Community Planning Area that calls for neighborhood mixed-use land uses.
- Neighborhood Mixed-Use is comprised of retail, office warehouse and residential uses that serve the surrounding neighborhood.
- The Economic Development chapter states the Zion Crossroads Area is prime for new commercial uses with proper site design.

At 7:23pm, Chair Booker opened the Public Hearing. With no one wishing to speak, Chair Booker closed the Public Hearing at 7:23pm.

MOTION:	Approve ZMP 23:03 as an ordinance to amend proffers of ZMP 19:02 with respect to 7.5 acres of Tax Map 4 Section A front portion of Parcel 27 zoned I-1 and is subject to the revised proffers dated August 3, 2023.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion	Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ZTA 21:03 R-4 Zoning District – Multi-family Dwellings from 2.9 to 5.5 dwelling units – Douglas Miles, Community Development Director

ZTA 21:03: An Ordinance to amend Chapter 22 Zoning of the Fluvanna County Code by the addition of the following use permitted by-right under §22-8.2.1 in the R-4 zoning district: Multi-family dwellings, with a density up to 5.5 dwelling units per acre, provided the property is within an area subjected to a common plan of development and such property is served by a central water and sewer system.

Proposed R-4 Text Amendment

- Article 22 Zoning Ordinance Definitions:
 - Dwelling, multi-family: A building or portion thereof which contains two or more dwelling units for permanent occupancy, regardless of the method of ownership. Included in the use type would be garden apartments, low and high-rise apartments, apartments for elderly housing and condominiums.

Sec. 22-8-2.1 (R-4) Uses permitted by right.

The following uses shall be permitted by right:

Residential Uses; Dwellings, accessory; Dwellings, multi-family, Dwellings, multifamily, with a density up to 5.5 dwelling units per acre, provided the property is within an area subjected to a common plan of development and such property is served by a central water and sewer system. Dwellings, single-family attached; Dwellings, single-family detached; Dwellings, townhouse; Dwellings, two-family

Proposed R-4 Text Amendment

9VAC25-870.10. Virginia Administrative Code Definitions:

- Common plan of development: means a contiguous area where separate and distinct construction activities may be taking place at different times on different schedules. (from DEQ definitions)

American Planning Association (APA) Glossary of Zoning, Development, and Planning Terms:

- Planned development: shall mean a contiguous land area of minimum size, as specified by district regulation, to be planned and developed using a common master zoning plan, and containing one or more uses and appurtenant common areas. (from Prince William County, VA)

Lake Monticello Owners' Association (LMOA)

- Lake Monticello Owners' Association General Rules and Regulations restricts residential use to single-family homes. This requirement is actively enforced during their plan review of every new home in LMOA.
- Concern has been expressed over whether multi-family dwellings could be constructed on lots in Lake Monticello, as is currently permitted by right in R-4 zoning. This would continue to be restricted, except in Marina Point, pursuant to LMOA's General Rules and Regulations.

Planning Analysis

Fluvanna County, like many rural counties, has housing challenges and opportunities. Available housing, from workforce housing, options for seniors to downsize and to age-in-place, and for younger adults looking for their first home, is in high demand throughout the County. The Planning analysis, in conformity with the 2015 Comprehensive Plan, seeks to provide flexibility in the Fluvanna County Zoning Ordinance by providing available density in which to construct mixed-use housing units that are found in a well-planned development's master plan. Increasing the density in specific zoning districts could allow for additional housing options while limiting the available locations in which development could occur.

Board of Supervisors Minutes

At 8:01pm, Chair Booker opened the Public Hearing.

- Dominique Ridgewell, 17 Axel Tree Rd, Spoke in opposition to ZTA 21:03.
- Wayne Nye, 176 Village Blvd, spoke in opposition to ZTA 21:03
- Sandi Radford, 121 Mulberry Dr, spoke in opposition to ZTA 21:03
- Donna DaGuanno, 148 Crepe Myrtle Dr, spoke in opposition to ZTA 21:03
- James Schoenster, 843 Jefferson Dr, spoke in opposition to ZTA 21:03
- Tim Hodge, 264 Manor Blvd, spoke in opposition to ZTA 21:03
- James Tatangelo, 3955 Kids Dairy, spoke in opposition to ZTA 21:03
- James M. von Otenritter, 2126 Nahor Manor, spoke in opposition to ZTA 21:03
- Stephanie Davis, 25 Wisteria Way, spoke in opposition to ZTA 21:03
- John Danna, 951 Jefferson Dr, spoke in opposition to ZTA 21:03
- Garry Hannifan, 953 Jefferson Dr, spoke in opposition to ZTA 21:03
- Suzy Morris, 6840 Thomas Jefferson Pkwy, spoke in opposition to ZTA 21:03
- Ann Neil Cosby, Wire Gill, LLP, spoke in support to ZTA 21:03
- Dan Girouard, 65 Persimmon Way, spoke in support to ZTA 21:03
- Deborah Graham, C3 Marina Point, spoke in support to ZTA 21:03
- Linda Segal, B1 Marina Point, spoke in support to ZTA 21:03
- Garret Smith, Marina Point, spoke in support to ZTA 21:03
- Derek Wilson, 55 Ponderosa Ln, spoke in opposition to ZTA 21:03
- Denise Hance, 10 Amethyst Rd, spoke in opposition to ZTA 21:03
- Scott Dudzik, 39 Julie Dr, spoke in opposition to ZTA 21:03
- Steve Smith, 6 Sunset Ct, spoke in opposition to ZTA 21:03
- Tom Diggs, 947 Jefferson Dr, spoke in opposition to ZTA 21:03
- Hans DeGroot, 911 Jefferson Dr, spoke in opposition to ZTA 21:03
- Mike Goad, 417 Pettit Foster Ln, spoke in opposition to ZTA 21:03
- April Ballard, 873 Jefferson Dr, spoke in opposition to ZTA 21:03

With no one else wishing to speak, Chair Booker closed the Public Hearing at 9:37pm.

MOTION:	Deny ZTA 21:03 an Ordinance to amend Chapter 22 Zoning of the Fluvanna County Code by the addition of the following use permitted by-right under §22-8-2.1 in the R-4 zoning district: Multi-family dwellings, with a density up to 5.5 dwelling units per acre, provided the property is within an area subjected to a common plan of development and such property is served by a central water and sewer system.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second	Motion		
VOTE:	No	Yes	Yes	No	Yes
RESULT:	3-2				

MOTION TO EXTEND

- *After the Board took a five minute break, Chair Booker asked for a motion to extend the Board of Supervisors meeting at 10:14pm.*

MOTION:	Approve a motion to extend the August 16, 2023 Regular Board of Supervisors meeting to 12:00am.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

7 - ACTION MATTERS

Authorization to Advertise a Dog Running at Large Ordinance – Dan Whitten, County Attorney

There has been much discussion from residents and representatives of the Sheriff's Office over the years for a Dogs Running at Large ordinance, while trying to find a balance for all residents in the community. Currently, Fluvanna County only has a dogs running at large ordinance applicable to the Lake Monticello subdivision, which at minimum needs to be updated to reflect the correct magisterial districts representing Lake Monticello.

Option #1 for County Code §4-2-2

- Running at large ordinance would be applicable county-wide.
- Enforced by sworn law enforcement officers.
- Exemptions: (i) Dogs engaged in lawful hunting or training for hunting; and (ii) Dogs assisting in farming activity.
- Within Lake Monticello, civil penalty not more than \$100.00.
- Outside of Lake Monticello, the Law enforcement officer can take dog into possession and return the dog to the owner or custodian with a warning.
- If the owner or custodian can't be found, the dog may be transported to the SPCA.

Board of Supervisors Minutes

- Once the owner or custodian has three or more violations within 2 years, it may result in a \$100 civil penalty.

Option #2 for County Code §4-2-2

- Ordinance would be applicable only to Lake Monticello.
- Enforced by sworn law enforcement officers.
- Exemption for dogs (i) hunting or training for hunting; or (ii) assisting in farming activity.
- May be subject to civil penalty of up to \$100.
- If owner or custodian can't be found, the dog may be transported to SPCA and owner liable for impoundment costs.

Required amendments to County Code §4-2-2

- Virginia Code §3.2-6538 requires if a locality has a running at large ordinance that such ordinance shall provide that the owner or custodian of any dog found running at large in a pack shall be subject to a civil penalty in an amount of \$100 per dog so found. A dog shall be deemed to be running at large in a pack if it is running at large in the company of one or more other dogs that are also running at large.

MOTION:	Advertise the amendments to County Code Section 4-2-2 applicable County-wide for a public hearing to be held on September 20, 2023.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:			Motion	Second	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Amendments to the Fluvanna County Board of Supervisors 2023 Bylaws and Rules of Procedure – Dan Whitten, County Attorney

The amendments to the 2023 Bylaws and Rules of Procedure reflect the following changes:

- 1) Revised edition of Roberts Rules of Order
- 2) Reference to Virginia Conflict of Interests Act
- 3) Meeting location of Carysbrook Performing Arts Center unless another location is announced
- 4) Meetings will adjourn by 9:00 p.m. on the first Wednesday of the month unless extended by the Board
- 5) Revisions to Section XXVIII regarding meetings held through electronic communications means to incorporate remote meeting policy that was adopted in September 2022.
- 6) Clarify that the Board can meet electronically when a local emergency is declared to discuss continuity of operations

MOTION:	Approve the attached amendments to the Fluvanna County Board of Supervisors 2023 Bylaws and Rules of Practice and Procedure, with the change of meeting start time from 4:00pm to 5:00pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Burn Building Update – Eric Dahl, County Administrator

- May 2023 – Discussed with the BOS about the County Administrator sending a letter of request to the Virginia Fire Services Board for an approval of a different type of fire training structure not currently approved under grant program.
- Summer 2023 - The Live Fire Training Building Committee has been meeting over the months to try and come up with a container style structure configuration that works for Fluvanna County's training needs.
 - Meet with Goochland County Fire-Rescue staff multiple times about lessons learned and what they did to get approval to use grant funds for a container style structure.
- August 2023 – Letter sent to the Virginia Fire Services Board requesting:
 - To use the grant funds for a container style structure, which currently isn't an existing approved structure (although a prototype is under review)
 - A "No Cost Extension" through November 15, 2025 to complete our project.
 - Two other localities have received approval from the Fire Services Board for container style structure (City of Richmond and Goochland County).
- August 2023 – BOS to authorize a design (A or B) and associated estimated costs.
- September 2023 - A presentation will be made to the Fire Services Board.

Design A:

- A 4 container structure, with 2 containers on the ground level and 2 additional containers stacked on top of each other and on one of the ground level containers.
- The estimated cost of containers, props, equipment, training and shipping for this configuration is \$485K.

Board of Supervisors Minutes

- If approved to use this type of prototype structure with the grant funds, \$450K could be used toward the structure costs only.
- The \$485K does not include costs for a contingency fund, Site Work, Special Inspections, Construction Administration, electric and water hookups (some items could be reduced/removed). I estimate these costs to be \$200K-\$300K, for an estimated maximum project price of \$785K, with \$450K potential to be covered by the grant if authorized by the Fire Services Board.
- The estimated maximum cost to the County would be \$335,000.

Design B:

- *This is the recommended structure configuration from the Live Fire Training Building Committee.*
- A 4 container structure the same as design “A”, but adding 1 vertical container, for a total of 5 containers.
- The estimated cost of containers, props, equipment, training and shipping for this configuration is \$585K.
- If approved to use this type of prototype structure with the grant funds, \$450K could be used toward the structure costs only.
- The \$585K does not include costs for a contingency fund, Site Work, Special Inspections, Construction Administration, electric and water hookups (some items could be reduced/removed). I estimate these costs to be \$225K-\$325K, for an estimated maximum project price of \$910K, with \$450K potential to be covered by the grant if authorized by the Fire Services Board.
- The estimated maximum cost to the County would be \$460,000.

Design “A” vs. “B” comparison

	Design A	Design B
Costs: containers, props, equipment, training and shipping	\$ 485,000	\$ 585,000
Grant funding	\$ 450,000	\$ 450,000
County Cost	\$ 35,000	\$ 135,000

Costs: contingency fund, site work, special inspections, construction admin., electric and water hookups	\$ 300,000	\$ 325,000
TOTAL ESTIMATED COUNTY COST	\$ 335,000	\$ 460,000

MOTION:	Approve staff and the Live Fire Training Committee to further develop enhanced concept plans and cost estimates for Design B.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Second	Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

Displaying Banners on County-Owned Utility Poles in Fork Union – Kelly Harris, Assistant County Administrator

- Late June 2023, LTC Vashon Hubert, Fork Union Military Academy (FUMA) Director of Alumni Affairs, approached the County seeking permission to display banners on light poles in Fork Union in celebration of FUMA’s 125th Anniversary.
- The County does not currently have a policy allowing non-County groups/organizations to display banners on County-owned utility poles
- Request permission for FUMA to display anniversary banners on County-owned utility poles in Fork Union October 13-15, 2023. FUMA would bear the cost of the banners and the hardware to hang the banners.
- Request guidance from the Board regarding the creation of a policy allowing community groups to display banners on County-owned utility poles

- Chair Booker relinquished the gavel to Vice Chair Eager so she could make the motion.

MOTION:	Approve for the Fork Union Military Academy to display banners on county-owned utility poles along James Madison Highway in Fork Union, celebrating the 125th Anniversary of the Fork Union Military Academy, with all associated costs being the responsibility of the Fork Union Military Academy.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion		Second		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

- After the motion was made, Vice Chair Eager returned the gavel to Chair Booker.

7A – BOARDS AND COMMISSIONS

None.

8 – PRESENTATIONS

Siting Agreements for Solar Projects or Energy Storage Projects – Dan Whitten, County Attorney

Legislative History

- HB 1675 (2020) required applicants intending to locate a solar facility in an opportunity zone to negotiate a siting agreement with the locality. Clarified that the provisions of this act shall not apply to any solar facility that has received zoning and site plan approval, preliminary or otherwise, from the locality on or before January 1, 2020.
- HB 2201 (2021) amended the Code to also require applicants for an energy storage project to negotiate a siting agreement with the locality. The General Assembly also required the siting agreement even if the solar facility or energy storage project was located outside of an opportunity zone. Clarified that the provisions of this act shall not apply to any energy storage project that has received zoning and site plan approval, preliminary or otherwise, from the host locality before January 1, 2021.

Virginia Code § 15.2-2316.7. Negotiations; siting agreement.

- Any applicant for a solar project or an energy storage project shall give to the County written notice of the applicant's intent to locate in the County and request a meeting. Such applicant shall meet, discuss, and negotiate a siting agreement with the County.
- The siting agreement may include terms and conditions, including (i) mitigation of any impacts of such solar project or energy storage project; (ii) financial compensation to the County to address capital needs set out in the (a) capital improvement plan adopted by the County, (b) current fiscal budget of the County, or (c) fiscal fund balance policy adopted by the County; or (iii) assistance by the applicant in the deployment of broadband, as defined in § 56-585.1:9, in the County.

§ 15.2-2316.8. Powers of host localities.

- The Board shall have the power to:
 1. Hire and pay consultants and other experts on behalf of the County in matters pertaining to the siting of a solar project or energy storage project;
 2. Meet, discuss, and negotiate a siting agreement with an applicant; and
 3. Enter into a siting agreement with an applicant that is binding upon the Board and enforceable against it and future governing bodies of the County in any court of competent jurisdiction by signing a siting agreement pursuant to this article. Such contract may be assignable at the parties' option.
- Once the parties agree to the terms and conditions, the County shall schedule a public hearing to consider the agreement.

§ 15.2-2316.9. Effect of executed siting agreement; land use approval

- Does not exempt the applicant from requirements to obtain approvals and permits under federal, state, or local ordinances and regulations.
- An applicant may file for appropriate land use approvals for the solar project or energy storage project, at or after the time the applicant submits its notice of intent to site a solar project or energy storage project.
- Does not affect the authority of the County to enforce its ordinances and regulations to the extent that they are not inconsistent with the terms and conditions of the siting agreement.
- Approval of a siting agreement by the Board shall deem the solar project or energy storage project to be substantially in accord with the comprehensive plan of the host locality, thereby satisfying the requirements of §15.2-2232.
- The failure of an applicant and the Board to enter into a siting agreement may be a factor in the decision of the Board in the consideration of any land use approvals for a solar project or energy storage project, but shall not be the sole reason for a denial of such land use approvals.

Solar Revenue Model – Eric Dahl, County Administrator

Solar Revenue Options

- In 2020 the General Assembly passed HB1131, which “Authorizes any locality by ordinance to assess a revenue share of up to \$1,400 per megawatt on any solar photovoltaic (electric energy) project with certain exceptions and expands an existing tax exemption for such projects under certain conditions.”
- With this change, Virginia localities may now choose between two taxation options to generate revenues from large-scale solar development.
 - The default option is to levy a Machinery and Tools (M&T)/Real Estate tax on the capital improvements in the solar generation facilities.
 - Alternatively and previously discussed, a locality may adopt a Revenue Share ordinance, which in effect replaces the default M&T option.

Revenue Share

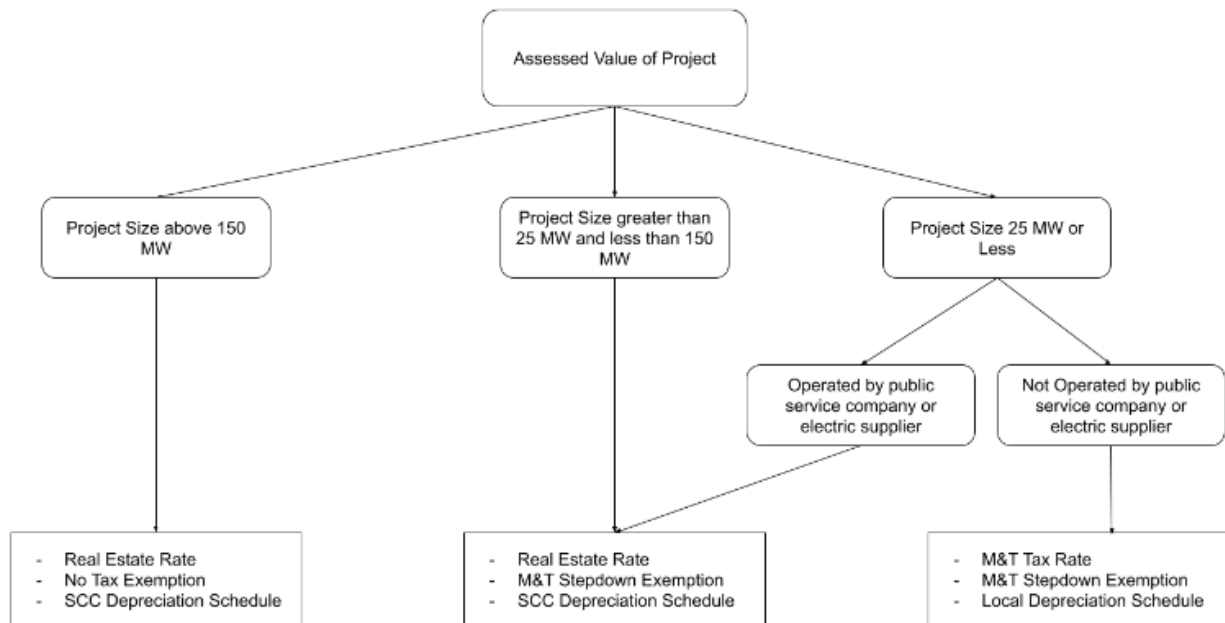
- With a Revenue Share ordinance, localities receive income from solar facilities at a flat rate in dollars per megawatt (MW) of nameplate generation capacity per year (e.g. Project megawatt x \$1,400 = Revenue Share Income).
 - Example: 20 megawatt project x \$1,400 = \$28,000 Annual Revenue Share Income

Board of Supervisors Minutes

- If a project replaces panels with higher producing MW ones later, the revenue would increase based upon the MW.
- Once localities enact a Revenue Share ordinance, that is the revenue generation model implemented for all solar photovoltaic (electric energy) projects in the County moving forward until such time the ordinance is removed.

M&T/Real Estate Taxation Model

- The University of Virginia Weldon Cooper Center for Public Service has worked to assist localities and provides the below guidance for taxation through their Virginia Solar Initiative:
- For the M&T/Real Estate tax model, the tax rate, depreciation schedule, and exemption rate applied to projects can vary based on the size of the solar project and who is operating the project. There are three possible ways the M&T/Real Estate tax model can be applied to a project.
- If a project is 25 MW or less and is not owned by an electric supplier, electric company (Dominion, APCo, or Old Dominion Power) or an electric cooperative, the M&T tax rate is used along with the locality's depreciation schedule and the M&T stepdown exemption rate.
- If a project is greater than 25 MW and less than 150 MW OR is owned by an electric supplier, electric company (Dominion, APCo, or Old Dominion Power) or an electric cooperative, the real estate tax rate is applied to the project along with the SCC depreciation schedule, the M&T stepdown exemption rate, and local assessment ratios. Projects that are less than 25 MW and are owned by electric suppliers are taxed using these parameters in accordance with HB1087.
- All projects 150 MW and greater will use the real estate tax rate and the SCC depreciation schedule. There is no mandatory tax exemption applied on these projects.



- Comparisons using Fluvanna County tax rates vs. revenue share have been made for the following:
 - Projects less than 25MW – For this example, a 20 MW project was used as the baseline comparison. As you can see from the included comparison of M&T and Revenue Share, the County has a pretty aggressive depreciation schedule for M&T. With this, the financial model clearly shows Revenue Share is the financially advantageous method for this project over a 35 year period of time (\$1,123,104 Revenue Share vs. \$403,750 M&T)
 - Projects greater than 25MW and less than 150MW – For this example, a 40 MW project was used as the baseline comparison. As you can see from the included comparison of M&T and Revenue Share for this financial model, M&T taxation is the financially advantageous method for this project over a 35 year period of time (\$4,069,373 M&T vs. \$2,674,972 Revenue Share)
- The above estimates are for equipment only and do not include consideration of revenues for potential increases in real estate value.
- We didn't include projects greater than 150MW, but the M&T taxation model would also be more advantageous for the County over a 35 year period of time. The County is also having the County Attorney research a recent opinion for another taxation option and we hope to have clarity on if it is allowable by the August 16, 2023 BOS meeting.
- Lastly, the siting agreement for solar projects is also a consideration no matter what taxation model the County selects.

9 - CONSENT AGENDA

The following items were approved under the Consent Agenda for August 16, 2023:

- *Minutes of August 2, 2023* – Caitlin Solis, Clerk to the Board

Board of Supervisors Minutes

- *Accounts Payable Report for July 2023* – Theresa McAllister, Management Analyst
- *Zion Crossroads Water and Sewer Fund Capital Budget Carryover* – Eric Dahl, County Administrator
- *FY23 Aid to Localities Funding – Fire Department* – Theresa McAllister, Management Analyst
- *FY23 Voluntary Contributions* – Theresa McAllister, Management Analyst
- *FY24 Schools Cafeteria Fund Supplemental Appropriation* – Tori Melton, Director of Finance
- *FY24 FCPS Grants Supplemental Appropriation* – Tori Melton, Director of Finance, Brenda Gilliam, Executive Director for Instruction and Finance
- *Virginia Department of Emergency Management FY25 E-911 PSAP Education Program grant award* – Michael R. Grandstaff, Sheriff’s Office Staff; Sheriff Eric B. Hess, Sheriff
- *Virginia Department of Emergency Management FY24 PSAP Grant Program for Staffing Recognition* – Michael R. Grandstaff, Sheriff’s Office Staff; Sheriff Eric B. Hess, Sheriff
- *Bourne Tract Agricultural/Forestral District Review and Renewal* – Jason Overstreet, Senior Planner
- *Bowlesville Agricultural/Forestral District Review and Renewal* – Jason Overstreet, Senior Planner

MOTION:	Approve the consent agenda, for the August 16, 2023 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for July 2023 in the amount of \$10,115,730.08.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

10 - UNFINISHED BUSINESS

None.

11 - NEW BUSINESS

James River Water Authority Board Member – Mr. Chesser is resigning from the JRWA, Mr. Dahl asked if the Board would like to appoint a Board member or appoint a member of the community. A formal motion will be brought back to the Board at a later meeting to appoint Mrs. Eager.

Coffee and Conversation Community Meetings – Mr. Dahl asked for some direction for the future community meetings. The Board directed staff to organize the next meeting around Lake Monticello with future locations to be determined later.

MOTION TO EXTEND

- *At 11:59pm, a motion was made to extend the Board of Supervisors meeting.*

MOTION:	Approve a motion to extend the August 16, 2023 Regular Board of Supervisors meeting to 12:45am.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

12 - PUBLIC COMMENTS #2

At 12:00pm, Chair Booker opened the first round of Public Comments. With no one wishing to speak, Chair Booker closed the first round of Public Comments at 12:00pm.

13 - CLOSED MEETING

None.

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, August 16, 2023 at 12:01am.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

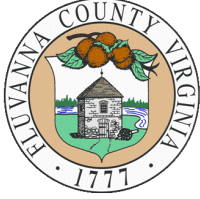
ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

Mozell H. Booker
Chair

DRAFT



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 24-2023

A RESOLUTION TO AUTHORIZE RENEWAL OF THE BOURNE TRACT AGRICULTURAL/FORESTAL DISTRICT FOR AN ADDITIONAL EIGHT-YEAR PERIOD TO EXPIRE AUGUST 1, 2031

At a regular meeting of the Board of Supervisors of the County of Fluvanna held at the Carysbrook Performing Arts Center at 7:00 p.m. on the 16th day of August 2023, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

WHEREAS, the Fluvanna County Board of Supervisors approved the creation of the Bourne Tract Agricultural/Forestal District on August 1, 1999 for an eight-year period; and

WHEREAS, the Fluvanna County Board of Supervisors approved the renewal of the Bourne Tract Agricultural/Forestal District on August 1, 2007 for an eight-year period; and

WHEREAS, the Fluvanna County Board of Supervisors approved the renewal of the Bourne Tract Agricultural/Forestal District on September 2, 2015 for an eight-year period; and

WHEREAS, the district will expire on August 1, 2023; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, the Fluvanna County Planning & Community Development Department contacted the current property owners of parcels identified in the Bourne Tract Agricultural/Forestal District and advised them that the approved district would expire on August 1, 2023 and inquired whether the owners desired that the property remain in or be removed from the district.

NOW, THEREFORE BE IT RESOLVED on this 16th day of August 2023 that the Fluvanna County Board of Supervisors hereby renews the Bourne Tract Agricultural/Forestal District for an additional eight-year period to expire on August 1, 2031.

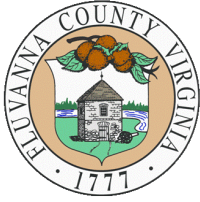
THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at the regular meeting of the Board held on the 16th day of August, 2023;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District						
Patricia B. Eager, Palmyra District						
Anthony P. O'Brien, Rivanna District						
John M. Sheridan, Columbia District						
Chris Fairchild, Cunningham District						

Attest:

Mozell H. Booker, Chair

Fluvanna County Board of Supervisors



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 25-2023

A RESOLUTION TO AUTHORIZE RENEWAL OF THE BOWLESVILLE AGRICULTURAL/FORESTAL DISTRICT FOR AN ADDITIONAL EIGHT-YEAR PERIOD TO EXPIRE AUGUST 1, 2031

At a regular meeting of the Board of Supervisors of the County of Fluvanna held at the Carysbrook Performing Arts Center at 7:00 p.m. on the 16th day of August 2023, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

WHEREAS, the Fluvanna County Board of Supervisors approved the creation of the Bowlesville Agricultural/Forestal District on August 1, 1999 for an eight-year period; and

WHEREAS, the Fluvanna County Board of Supervisors approved the renewal of the Bowlesville Agricultural/Forestal District on December 19, 2007 for an eight-year period; and

WHEREAS, the Fluvanna County Board of Supervisors approved the renewal of the Bowlesville Agricultural/Forestal District on April 1, 2015 for an eight-year period; and

WHEREAS, the district expired on August 1, 2023; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, the Fluvanna County Planning & Community Development Department contacted the current property owners of parcels identified in the Bowlesville Agricultural/Forestal District and advised them that the approved district would expire on August 1, 2023 and inquired whether the owners desired that the property remain in or be removed from the district.

NOW, THEREFORE BE IT RESOLVED on this 16th day of August 2023 that the Fluvanna County Board of Supervisors hereby renews the Bowlesville Agricultural/Forestal District for an additional eight-year period to expire on August 1, 2031.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at the regular meeting of the Board held on the 16th day of August, 2023;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District						
Patricia B. Eager, Palmyra District						
Anthony P. O'Brien, Rivanna District						
John M. Sheridan, Columbia District						
Chris Fairchild, Cunningham District						

Attest:

Mozell H. Booker, Chair

Fluvanna County Board of Supervisors

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB K

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors August 30, 2023 Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors Special Called Meeting on Wednesday August 30, 2023, be adopted.				
BOS 2 YEAR GOALS?	Yes	No	If yes, list goals(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				XX	
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	None.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Draft Minutes August 30, 2023.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

**FLUVANNA COUNTY BOARD OF SUPERVISORS
SPECIAL MEETING MINUTES
Morris Room, Fluvanna County Admin Bldg
132 Main Street, Palmyra 22963
August 30, 2023
Special Meeting 5:00pm**

MEMBERS PRESENT:

Mozell Booker, Fork Union District, Chair
Patricia Eager, Palmyra District, Vice Chair
Chris Fairchild, Cunningham District
John M. (Mike) Sheridan, Columbia District
Tony O’Brien, Rivanna District (*entered meeting at 5:13pm*)

ABSENT:

None.

ALSO PRESENT:

Eric M. Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Dan Whitten, County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE

At 5:03pm, Chair Booker called to order the Special Meeting of August 30, 2023. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the August 30, 2023 Special Called Meeting of the Board of Supervisors, as presented.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:			Second		Motion
VOTE:	Yes	Yes	Yes	Absent	Yes
RESULT:	4-0				

13 - CLOSED MEETING

MOTION:	At 5:05pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1 and A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – Discussion of Fluvanna County Department of Emergency Services and Legal Matters – Fluvanna County Department of Emergency Services.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Absent	Yes
RESULT:	4-0				

MOTION:	At 6:20pm, move the Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and “BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting.”				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O’Brien	Mr. Sheridan
ACTION:				Motion	Second
VOTE:	Yes	Yes	Yes	Abstain	Yes
RESULT:	4-0-1				

Board of Supervisors Minutes

- After closed session, the Board of Supervisors took a vote on the staffing structure of the Department of Emergency Services.

MOTION:	Approve the Department of Emergency Services revised department structure, by continuing to staff (2) Two 24hr a day/7 day a week ambulances on an A, B, C, D shift and amend the structure by adding (1) one additional 24hr a day 7/day a week Quick Response Vehicle (QRV) with an ALS provider on an A, B, C, D shift.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

- The Board then voted on a resolution approving the donation of vehicles from the Fluvanna Rescue Squad, Inc.

MOTION:	Approve "A Resolution Approving Donation of Vehicles from Fluvanna Rescue Squad, Inc." for the use by the Fluvanna County Department of Emergency Services.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion			Second
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

14 - ADJOURN

MOTION:	Adjourn the regular meeting of Wednesday, August 30, 2023 at 6:22pm.				
MEMBER:	Mrs. Booker	Mrs. Eager	Mr. Fairchild	Mr. O'Brien	Mr. Sheridan
ACTION:		Second		Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0				

ATTEST:

FLUVANNA COUNTY BOARD OF SUPERVISORS

 Caitlin Solis
 Clerk to the Board

 Mozell H. Booker
 Chair



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 26-2023

**A RESOLUTION APPROVING DONATION OF VEHICLES
FROM FLUVANNA RESCUE SQUAD, INC.**

WHEREAS, Fluvanna Rescue Squad, Inc. wishes to purchase and donate to Fluvanna County (“County”) the following vehicles (“Vehicles”) for the use by the Fluvanna County Department of Emergency Services:

- (1) 2019 Ford F550 Ambulance;
- (2) 2022 Ford Expedition Quick Response Vehicle; and
- (3) 2008 GMC Yukon Quick Response Vehicle/Command Vehicle.

WHEREAS, the County is authorized under Virginia Code Section 15.2-951 and Virginia Code Section 44-146.27(C) to accept the donation of the Vehicles; and

WHEREAS, the County desires to accept the donation of the Vehicles; and

WHEREAS, the County appreciates the generosity of the Fluvanna Rescue Squad, Inc.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Fluvanna County that the County accepts the donation of the Vehicles from the Fluvanna Rescue Squad, Inc. for the use by the Fluvanna County Department of Emergency Services.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a meeting of the Board held on the 30th day of August 2023:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					
Patricia B. Eager, Palmyra District	X				X	
Christopher Fairchild, Cunningham District	X					
Anthony P. O’Brien, Rivanna District	X					
John M. Sheridan, Columbia District	X					X

Attest:

Mozell H. Booker, Chair

Fluvanna County Board of Supervisors

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB L

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	HVAC Apprentice Position Description				
MOTION(s):	I move the Board of Supervisors to approve the position description for the HVAC Apprentice that was approved for a full-time position with the FY24 budget.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Donna Snow, Director of Human Resources				
PRESENTER(S):	Donna Snow, Director of Human Resources				
RECOMMENDATION:	Approve				
TIMING:	Normal				
DISCUSSION:	Requesting the Board of Supervisors approve the attached position description for the HVAC apprentice that was included in the FY24 budget.				
FISCAL IMPACT:	No additional funds needed, this position was accounted for in the FY24 budget.				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	<ul style="list-style-type: none"> HVAC Apprentice Position Description 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
				X	COAD



Fluvanna County, Virginia
Department of Finance
Job Description

HVAC Apprentice

Job Class #:	3184
Pay Grade:	11
Category:	Full-Time(with benefits)
FLSA Status:	Non-Exempt
Reports To:	Assistant Public Works Director

SUMMARY

The Heating, Ventilation, and Air Conditioning (HVAC/R) Apprentice will assist the HVAC/R Specialist in the installation, operation, maintenance, modification, service, and repair of HVAC/R systems. The HVAC/R Apprentice will also assist the HVAC/R Specialist with inspections and tests of both high/low-pressure heating systems to locate and diagnose faults and malfunctions and assists with required repairs through the replacement of inoperative parts or adjustment of thermostatic controls and blowers. The HVAC /R Apprentice will also comply with federal regulations governing environmental protection, hazardous waste disposal, and the use of refrigerants, chemical substances, and materials.

This position is classified as Essential Personnel and may be called upon to work during closures and emergencies.

ESSENTIAL FUNCTIONS

The HVAC/R Appretince assists the HVAC/R Specialist with maintenance and repairs to building mechanical systems. (These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

- Assists with HVAC/R installation, troubleshooting, repairs, and preventative maintenance on air conditioning units, heating systems, ventilation units, and refrigeration equipment including heat pumps, compressors, electric motors, boilers, intake and exhaust fans, generators, chillers, blowers, fans, and computerized control systems.
- Assists with diagnosing electrical and mechanical faults for HVAC/R systems
- Assists with disassembling mechanical or electrical machinery, equipment, and systems to retrofit or replace all ancillary components as required. Assists with checking clearances, and voltages and performs ampere measuring as required before bringing any equipment/system back into service.
- Assists with monitoring inventory for mechanical and plumbing systems.
- Performs work professionally following OSHA and EPA regulations, equipment specifications, and established safety procedures.
- Demonstrates basic computer competency including email, web browser, and word processing.
- Assists with other building maintenance tasks as needed.
- Assists Public Works with snow and ice removal as required.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES			
<ul style="list-style-type: none"> • Ability to use wrenches, electric drills, pipe cutters and benders, acetylene torches, hammers, and various other hand/power tools. • Ability to read Amp meters, ohmmeters, test lamps, voltmeters, wattmeters, thermometers and manometers, refrigerant gauges, vacuum pumps and refrigerant scales and refrigerant recycle/recovery equipment. • Ability to work from ladders and in enclosed spaces. • Ability to communicate effectively verbally and in writing. • Ability to establish and maintain effective working relationships with County staff, vendors, and contractors. 			
ACCEPTABLE EDUCATION, EXPERIENCE, AND TRAINING			
<ul style="list-style-type: none"> • High School diploma or equivalent. • CFC Refrigeration Certificate or ability to obtain within 6 months of employment. • Possession of and maintaining a valid driver's license in the Commonwealth of Virginia. • Essential Services Designation – must be available to work during inclement weather and emergency call back to perform essential and/or emergency services for the County. • Basic tools and equipment will be provided by the County and will remain under the County's ownership. 			
WORKING CONDITIONS AND PHYSICAL REQUIREMENTS			
<p>This is physical work requiring exertion above 100 pounds of force occasionally, more than 50 pounds of force frequently, and more than 20 pounds of force constantly to move objects; work requires climbing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, grasping, and repetitive motions; vocal communication is required for expressing or exchanging ideas utilizing the spoken word; hearing is required to perceive information at normal spoken word levels; visual acuity is required for depth perception, color perception, visual inspection involving small defects and/or small parts, use of measuring devices, assembly or fabrication of parts at or within arm's length, operation of machines, operation of motor vehicles or equipment, and determining the accuracy and thoroughness of work; the worker is subject to environmental conditions, extreme cold, extreme heat, noise, vibration, hazards, atmospheric conditions, and oils. The worker is required to wear personal protective equipment necessary for preventing injury. Reasonable accommodations may be made to enable individuals with disabilities to perform essential tasks.</p>			
POST OFFER REQUIREMENTS			
<ul style="list-style-type: none"> • Criminal Background Check • Valid driver's license 			
Department Head Recommended:	Director of HR Approval as to Form:	County Administrator Recommended:	Board of Supervisors Approved:
August 18, 2023	August 18, 2023		



Capital Reserve Maintenance Fund Request

TAB M

MOTION: I move that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request in the amount of **\$9,994.74** for the purpose(s) of:
installing external cameras, a plate reader camera, and overview camera on six buses with routes near the Zions Crossroads Rt. 15/ Rte. 250 interesection.

Section 1 - REQUEST

Requesting Department/Agency FCPS	Dept/Agency Contact Don Stribling	Date of Request 08/28/2023
Phone (434) 589-5948	Fax (434) 589-5393	Fiscal Year FY24

Reserve Fund Purpose Category: **Non-recurring project**

Description of Project/Repair	Qty	Unit Price	Total Price
Bluebird Buses	6	\$1,665.79	\$9,994.74
			\$0.00
			\$0.00
			\$0.00

Total Request: **\$9,994.74**

Description and justification for proposed use.

With the increase in traffic and bus routes near and around the Rte.15/Rte.250 intersection, external cameras, a plate reader camera, and overview camera on six buses were installed for the new school year.

Department/Agency Head Name Don Stribling	Signature Don Stribling <small>Digitally signed by Don Stribling DN: cn=Don Stribling, o=FCPS, ou=FCPS, email=dstribling@apps.fluco.org, c=US Date: 2018.08.21 13:12:45 -04'00'</small>	Date 08/28/2023
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Section 2 - REVIEW

Recommended? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County Finance Director Tori Melton <small>Digitally signed by Tori Melton Date: 2023.08.29 09:49:44 -04'00'</small>	Date
Recommended? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County Administrator Eric Dahl <small>Digitally signed by Eric Dahl Date: 2023.08.29 10:33:28 -04'00'</small>	Date

Section 3 - BOARD OF SUPERVISORS

Approved? <input type="checkbox"/> Yes <input type="checkbox"/> No	Decision Date	Comments
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Capital Reserve Maintenance Fund Request

TAB N

MOTION: I move that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request in the amount of \$11,800.00 for the purpose(s) of: the installation and connection of a security panel monitor, keypads, surface mount contacts, and motion detectors at Abrams Academy and the Instructional Technology department.

Section 1 - REQUEST

Requesting Department/Agency FCPS	Dept/Agency Contact Don Stribling	Date of Request 08/21/2023
Phone (434) 589-5948	Fax (434) 589-5393	Fiscal Year FY24

Reserve Fund Purpose Category: **Unexpected facility repairs or replacements**

Description of Project/Repair	Qty	Unit Price	Total Price
Quality CCTV Systems	1	\$11,800.00	\$11,800.00
			\$0.00
			\$0.00
			\$0.00

Total Request: **\$11,800.00**

Description and justification for proposed use.

Abrams Academy, IT department offices, and storage buildings are not being monitored at this time due to a failure of the security panel which is no longer repairable.

Department/Agency Head Name Don Stribling	Signature Don Stribling <small>Digitally signed by Don Stribling DN: cn=Don Stribling, o=FCPS, ou=FCPS, email=dstribling@apps.fluco.org, c=US Date: 2018.08.21 13:12:45 -04'00'</small>	Date 08/21/2023
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Section 2 - REVIEW

Recommended? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County Finance Director Tori Melton <small>Digitally signed by Tori Melton Date: 2023.08.24 13:40:42 -04'00'</small>	Date
Recommended? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County Administrator Eric Dahl <small>Digitally signed by Eric Dahl Date: 2023.08.24 17:04:37 -04'00'</small>	Date

Section 3 - BOARD OF SUPERVISORS

Approved? <input type="checkbox"/> Yes <input type="checkbox"/> No	Decision Date	Comments
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**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB O

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	FOIA Rights and Responsibilities Amendments and Designating a New FOIA Officer				
MOTION(s):	I move that the Board of Supervisors approve the attached policy related to charges for records requests which shall be published on the Fluvanna County website, and I move that the Board of Supervisors designate Dan Whitten, County Attorney as the Freedom of Information Act Officer for Fluvanna County.				
BOS 2 YEAR GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Dan Whitten, County Attorney				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	N/A				
TIMING:	N/A				
DISCUSSION:	<p>The Virginia General Assembly approved House Bill 2007, codified in Virginia Code § 2.2-3704.1, which requires the Board of Supervisors to make available upon request and post on its website or otherwise publish a written policy (i) explaining how the public body assesses charges for accessing or searching for requested records and (ii) noting the current fee charged, if any, by the Board of Supervisors for accessing and searching for the requested records.</p> <p>When Dan Whitten was hired as County Attorney, it was discussed that he would eventually serve as the FOIA Officer. Kelly Harris, Assistant County Administrator currently serves as the FOIA Officer.</p>				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	<ul style="list-style-type: none"> Policy relating to charges for records requests 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

01. ADMINISTRATION

1.8. FOIA Rights and Responsibilities: The Rights of Requesters and the Responsibilities of the County of Fluvanna under the Virginia Freedom of Information Act

BOS Approved – Oct 19, 2016 (last revised September 6, 2023)

1.8.1. Policy. The policy of FOIA states that the purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

1.8.2 Requesting Records.

A. To request records from the County of Fluvanna Administration Department you may direct your request to Dan Whitten, FOIA Officer. He can be reached by phone at (434) 591-1910, email at dwhitten@fluvannacounty.org, or by mail at PO Box 540, Palmyra, VA 22963. In addition, the Freedom of Information Advisory Council is available to answer any questions you may have about FOIA. The Council may be contacted by email at foiacouncil@dls.virginia.gov, or by phone at (804) 225-3056 or (866) 448-4100 [toll-free].

B. The Virginia Freedom of Information Act (FOIA), located at § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees.

1.8.3. Public Records. A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

1.8.4. Your FOIA Rights

A. You have the right to request to inspect or receive copies of public records, or both.

B. You have the right to request that any charges for the requested records be estimated in advance.

C. If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, you may contact the FOIA Council for a nonbinding advisory opinion.

1.8.5. Making a Request for Records from Fluvanna County

A. You may request records by U.S. Mail, fax, email, in person, or over the phone. FOIA does not require that your request be in writing, nor do you need to specifically state that you are requesting records under FOIA. From a practical perspective, it may be helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request. It also gives us a clear statement of what records you are requesting, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect to not put it in writing.

B. Your request must identify the records you are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number of records that you are requesting; instead, it requires that you be specific enough so that we can identify and locate the records that you are seeking.

C. Your request must ask for existing records or documents. FOIA gives you a right to inspect or copy records; it does not apply to a situation where you are asking general questions about the work of Fluvanna County, nor does it require Fluvanna County to create a record that does not exist.

D. You may choose to receive electronic records in any format used by Fluvanna County in the regular course of business. For example, if you are requesting records maintained in an Excel database, you may elect to receive those records electronically, via email or on a computer disk, or to receive a printed copy of those records

E. If we have questions about your request, please cooperate with staff's efforts to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss your request with you to ensure that we understand what records you are seeking.

1.8.6. Fluvanna County's Responsibilities in Responding to Your Request

A. Fluvanna County must respond to your request within five working days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends, holidays, or other office closures. Prior to conducting a search for records, the County shall notify the requester in writing that the County may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for requested records and inquire of the requester whether he would like to request a cost estimate in advance of the supplying of the requested records. The County shall provide the requester with a cost estimate if requested. The period within which the public body shall respond under this section shall be tolled for the amount of time that elapses between notice of the cost estimate and the response of the requester. If the County receives no response from the requester within 30 days of sending the cost estimate, the request shall be deemed to be withdrawn. Any costs incurred by the County in estimating the cost of supplying the requested records shall be applied toward the overall charges to be paid by the requester for the supplying of such requested records.

B. The reason behind your request for public records from Fluvanna County is irrelevant, and you do not have to state why you want the records before we respond to your request. FOIA does, however, allow Fluvanna County to require you to provide your name and legal address.

C. FOIA requires that Fluvanna County make one of the following responses to your request within the five-day time period:

1. We provide you with the records that you have requested in their entirety.
2. We withhold all of the records that you have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, we must send you a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows us to withhold the records.
3. We provide some of the records that you have requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
4. We inform you in writing that the requested records cannot be found or do not exist (we do not have the records you want). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response to you.
5. If it is practically impossible for Fluvanna County to respond to your request within the five-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us seven additional working days to respond to your request, giving us a total of 12 working days to respond to your request.

D. If you make a request for a very large number of records, and we feel that we cannot provide the records to you within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to your request. However, FOIA requires that we make a reasonable effort to reach an agreement with you concerning the production of the records before we go to court to ask for more time.

1.8.7. Costs

A. A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records and shall make all reasonable efforts to supply the requested records at the lowest possible cost. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of

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B. You may have to pay for the records that you request from Fluvanna County. FOIA allows us to charge for the actual costs of responding to FOIA requests, including items like staff time (at the applicable hourly rate) responding to the request, copying costs, postage, or any other costs directly related to supplying the requested records. It cannot include general overhead costs.

C. If we estimate that it will cost \$200 or more to produce the requested records, we will require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request. No further action will be taken to fulfill your request until the deposit and your authorization are received.

D. You have the right to request that we estimate, in advance, the charges for supplying the records that you have requested. This will allow you to know about any costs upfront, or give you the opportunity to modify your request in an attempt to lower the estimated costs.

E. If you owe us money from a previous FOIA request that has remained unpaid for more than 30 days, Fluvanna County will require payment of the past-due bill before it will respond to your new FOIA request.

1.8.8. Types of Records

A. The Fluvanna County Administration Department is the custodian of records for the following County Departments:

- Administration
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- Economic Development
- Emergency Management
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- Finance
- Human Resources
- Information Technology
- James River Water Authority (JRWA)
- Parks and Recreation
- Public Utilities
- Public Works
- Office of the Registrar

B. If you are unsure whether Fluvanna County has the record(s) you seek, please contact Dan Whitten, FOIA Officer directly at dwhitten@fluvannacounty.org, by phone at (434) 591-1910, or by mail at PO Box 540, Palmyra, VA 22963.

1.8.9. Commonly Used Exemptions. The Code of Virginia allows any public body to withhold certain records from public disclosure. Fluvanna County commonly withholds records subject to the following exemptions:

- A. Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- B. Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- C. Vendor proprietary information (§ 2.2-3705.1 (6))
- D. Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))

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BOS Approved – Oct 19, 2016 (last revised ~~January 20, 2021~~ September 6, 2023)

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- Finance
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- Parks and Recreation
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- Public Works
- Office of the Registrar
- ~~Administration~~
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- A. Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- B. Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- C. Vendor proprietary information (§ 2.2-3705.1 (6))
- D. Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB P

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	ARPA – Law Enforcement Equipment Grant				
MOTION(s):	<p>I move the Board of Supervisors ratify the prior submission of a grant application under the LE ARPA – Law Enforcement Equipment grant program administered by the VA Department of Criminal Justice Services (DCJS), and accept the award for \$177,000. Further, I move to ratify the authorization for the County Administrator to execute any contracts associated with the grant; and authorize a supplemental appropriation of \$177,000 to the Sheriff’s Budget.</p>				
BOS 2 YEAR GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Tori Melton, Finance Director				
PRESENTER(S):	Tori Melton, Finance Director				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	<ul style="list-style-type: none"> • The Virginia Department of Criminal Justice Services (DCJS) announced the availability of federal American Rescue Plan Act (“ARPA”) funds for law enforcement efforts to reduce violent crime and gun violence, which has disproportionately increase in due to the pandemic and impacted communities. • The Law Enforcement Equipment Grant allows local law enforcement agencies to make one-time grant purchases for the purpose of training and purchasing equipment and supplies to support law enforcement related activities. • Applicants are invited to purchase equipment the improves or enhances the delivery of daily law enforcement services to the community and/or ensures the safety of citizens and officers. • Funds were awarded on May 11, 2023. • The project period for the grant is 7/1/2022 – 6/30/2024 • This is a non-match grant, but we must purchase the equipment upfront and submit for reimbursement. 				
FISCAL IMPACT:	Approval of the motion as stated above will allow the Finance Department to increase FY24 revenue and expenditure budgets equally within the assigned fund.				
POLICY IMPACT:	N/A				
ENCLOSURES:	ARPA – Law Enforcement Equipment Grant Award ARPA Law Enforcement Equipment Grant Program Guidelines and Application Procedures.				

REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

June 2, 2023

Eric Dahl
County Administrator
132 Main Street
Palmyra, Virginia 22963

RE: 508516-LE ARPA - Law Enforcement Equipment

Dear Eric Dahl:

Congratulations on being a recipient of the above referenced grant program! Your DCJS grant award number is **509723** and was approved for a total award of **\$177,000**, funded through Award Number **21.027 (2023 ARPA)**. The project period is **7/1/2022** through **6/30/2024**.

Included with this letter is a Statement of Grant Award/Acceptance (SOGA). Copies of the FY24 Special Conditions, Reporting Requirements, and Projected Due Dates are posted online at <https://www.dcjs.virginia.gov/grants/grant-requirements> for your review. In addition, there may be "Action Item" Special Conditions related to your grant award called *Encumbrances* that require your immediate attention. If there are any, please submit those documents via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov/>.

If you have not previously done so, you must register to use this web-based system. The instructions on *Registering for a New Account* and *Submitting Action Item Encumbrances* are posted here <https://www.dcjs.virginia.gov/grants/ogms-training-resources> along with other resources and training videos. All registrants will be approved within 3 – 5 business days.

Additional reporting requirements will be necessary for purchases over \$5000.00. Please refer to the grant conditions regarding the required documentation for claims submission and reimbursement on page 12 of the ARPA Grant Special Conditions. Documentation may include, but not be limited to: Equipment Type, VIN or Serial Number, Title Holder, Date of Acquired Goods/Services, and Description of Measures Taken to Prevent Loss, Damage.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to rr-learnagrantrants@dcjs.virginia.gov. Please note that you will not be able to draw down funds on this grant until DCJS receives the signed SOGA, and the grant is in Underway status in OGMS.

Eric Dahl
June 2, 2023
Page Two

If you have any questions, please contact your DCJS Grant Monitor through the OGMS portal, or contact the ARPA staff at rr-learpagrants@dcjs.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson Miller", written in a cursive style.

Jackson Miller

STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services
 1100 Bank Street, 12th Floor
 Richmond, Virginia 23219


508516-LE ARPA - Law Enforcement Equipment

Subgrantee:	Fluvanna		
DCJS Grant Number:	509723		
UEI Number:	GVKNCPJ2LJU7		
Grant Start Date:	7/1/2022		
Grant End Date:	6/30/2024		
Federal Grant Number(s):	21.027 (2023 ARPA)		
Federal Awardee:	U.S. Department of Treasury		
Federal Catalog Number:	21.027		
Project Description:	Coronavirus State and Local Fiscal Recovery Funds		
Federal Start Date:	7/1/2022		

Federal Funds:	\$177,000		
State Funds:			
Local Match:	_____		
Total Budget:	\$177,000	Indirect Cost Rate: _____%	*If applicable

Project Director	Project Administrator	Finance Officer
Sean Peterson Captain 160 Commons Boulevard Palmyra, Virginia 22963 434-589-8211 speterson@fluvannasheriff.com	Eric Dahl County Administrator 132 Main Street Palmyra, Virginia 22963 434-589-1910 edahl@fluvannacounty.org	Victoria Melton Director of Finance 123 Main Street Palmyra, Virginia 22963 434-589-1930 vmelton@fluvannacounty.org

***Please indicate your ICR in the space provided, if applicable.** As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and reviewing the Special Conditions, hereby accepts this grant and agree to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.

Signature: 
 Authorized Official (Project Administrator)

Title: County Administrator

Date: 6/27/23



ARPA

Law Enforcement Equipment Grant Program

Guidelines and Application Procedures

Application Due Date
March 24, 2023, 5:00pm

Virginia Department of Criminal Justice Services
1100 Bank Street, Richmond, Virginia 23219
www.dcjs.virginia.gov

Issued: February 23, 2023

ARPA Law Enforcement Equipment Grant Program

Guidelines and Application Procedures

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I. Introduction

The Virginia Department of Criminal Justice Services (DCJS) is pleased to announce the availability of federal American Rescue Plan Act (“ARPA”) funds for law enforcement efforts to reduce violent crime and gun violence, which has disproportionately increased in due to the pandemic and impacted communities.

“Treasury recognizes the importance of comprehensive approaches to challenges like violence. The final rule includes an enumerated eligible use for community violence intervention programs in all communities, not just the disproportionately impacted communities eligible under the interim final rule. Given the increased rate of violence during the pandemic, Treasury has determined that this enumerated eligible use is responsive to the impacts of the pandemic in all communities. The final rule incorporates guidance issued after the interim final rule on specifically types of services eligible, including:

- Evidence-based practices like focused deterrence, street outreach, violence interrupters, and hospital-based violence intervention models, complete with wraparound services such as behavioral therapy, trauma recovery, job training, education, housing and relocation services, and financial assistance; and
- Capacity-building efforts at community violence intervention programs like funding more intervention workers, increasing their pay, providing training and professional development for intervention workers, and hiring and training workers to administer the programs.”¹

The Virginia State Budget allocated \$75,000,000 in ARPA funds in the first year to the Virginia Department of Criminal Justice Services “to make one-time grants to state and local law enforcement agencies located in the Commonwealth, including colleges and universities, local and regional jails for the purpose of training and purchasing equipment and supplies to support law enforcement related activities, excluding equipment for which one-time equipment grants were appropriated from the general fund in Item 406, Chapter 552, 2021 Acts of Assembly (Body Worn Camera Grant Program). Of the amount provided, no less than \$60,000,000 shall be provided for the support of local law enforcement agencies. Of the amount provided, the Director, Department of Criminal Justice Services, is authorized to recover reasonable, one-time costs related to administering this grant program. Any distribution made to a local law enforcement agency shall not require a local match. The Department shall report on the distributions made to the Governor, the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees, and the Secretary of Finance by November 1, 2023.”

Approved applications for this non-competitive funding opportunity will be awarded upon approval of the Criminal Justice Services Board on **May 11, 2023**, and any pending approvals necessary from the Department of Accounts.

¹ <https://www.federalregister.gov/documents/2022/01/27/2022-00292/coronavirus-state-and-local-fiscal-recovery-funds>

II. Focused Funding Areas

DCJS has identified the following project/program area as a priority for funding through this solicitation.

Law Enforcement Equipment: Applicants are invited to purchase equipment that improves or enhances the delivery of daily law enforcement services to the community and/or ensures the safety of citizens and officers. Equipment purchased and projects should seek to decrease violent crime within their communities.

Applicants are also invited to request funding for equipment that will improve and reduce violent crime within their locality. Funding may be used to invest in technology and equipment to allow law enforcement to more efficiently and effectively respond to the rise in gun violence resulting from the pandemic, for example technology to assist in the identification of guns whose serial numbers have been damaged. Along with being responsive to harm, equipment must be cost reasonable.

An example of items that can be purchased through this funding include, but are not limited to, the following:

- Virtual simulation equipment
- Crime mapping
- Real time crime center platforms
- Forensic equipment
- Video equipment
- Artificial intelligent cameras
- Tactical equipment to include armor, electronics, etc.
- Ballistics Technology
- Investigative platforms
- Bikes and Vehicles to assist with crime reduction
- License plate recognition system
- Regular vehicles up to \$70,000 (i.e. standard law enforcement vehicles)*

*Within ‘Section II: Focused Funding Areas’ of the ARPA Law Enforcement Equipment Grant Program Guidelines and Application Procedures a list of example items is provided that can be purchased through this funding opportunity. This list, which includes, “regular vehicles up to \$70,000 (i.e., standard law enforcement vehicles),” serves as an example of an eligible purchase and does not explicitly prohibit the purchase of large-scale vehicles greater than \$70,000. Instead, requests to purchase vehicles that cost more than \$70,000 will be reviewed on a case-by-case basis. Please be advised that bear cats, armored vehicles, and body worn cameras will remain as unallowable purchases under this funding opportunity.

Unallowable Purchases

Be advised that bear cats, armored vehicles, multi-use evidence vehicles and body worn cameras will not be allowable under this funding opportunity.

III. Eligibility

This grant announcement is open to all local law enforcement agencies. Entities may only submit one application in response to this solicitation. This grant program is a formula-based grant opportunity. Many factors were taken in account, including crime rates, population, financial stress, and police officer population, to determine the maximum amount of the award for each locality.

IV. Grant Application Deadline

Applications must be submitted in the DCJS Online Grants Management System (OGMS) no later than 5:00 p.m. on March 24, 2023. The system will not allow applications to be submitted after the deadline, therefore, late applications will not be considered. Allow time for any possible technical difficulties you may experience since the application will not be accepted after the deadline. Instructions on how to register in OGMS are available in this document. If you have not already done so, it is recommended that you register for OGMS as soon as possible as the registration process can take several days.

V. Amount Available

Each locality is eligible for funding and is receiving an award based on a formula previously mentioned. Refer to the attached spreadsheet to determine the amount allocated to your locality and use this amount when developing your budget throughout your application.

Final funding amounts may be impacted or limited due to pending changes in the state budget. Applications will be accepted within the current stated limits but subject to change after the May 11th meeting of the Criminal Justice Services Board. Grantees will be notified by DCJS of any changes to the amount of their grant in their award letter.

VI. Grant Period

Grants will be awarded for a two (2) year period July 1, 2022, through June 30, 2024. The Grant funding period is retroactive to July 1, 2022. Localities will be able to apply for previously purchased items that meet the funding focused areas, but any previous purchases will need to be approved through your application prior to any reimbursement claims being submitted and processed.

VII. Match Requirement

There is no match requirement with this grant program.

VIII. Restrictions

- Grant funds cannot be used to supplant state or local funds that would otherwise be available for the same purposes.

- **Reimbursement will be based on paid invoices for approved expenditures or through requested advance drawdowns with expected expenditures.**
- Changes to the grant budget after award must be approved by DCJS prior to expending funds based on the changes.
- Transactions occurring outside of the grant period will not be eligible for reimbursement.

IX. Availability of Continuation Funding

ARPA funds are currently set to expire by June 30, 2024. There will not be a continuation of funds after the grant program ends.

X. Application Forms and Instructions

Each application for Law Enforcement Equipment Grant Program funding **must be submitted using the DCJS Online Grant Management System (OGMS)**. Email files or paper applications will not be accepted. All required fields must be completed to submit your application. Do not include any items not requested such as letters of support, annual reports, publicity articles, etc.

General Information: The Application Creation Wizard will assist you in completing the application's General Information form.

Step 1: The Wizard requires an application title and a primary contact. The application title should include the grant program and the agency's name (e.g., ARPA ABC City).

The primary contact is the individual in your agency who will be designated as the primary person responsible for the application and grant from your locality. This individual will receive automated email notifications when attention is needed on the application or grant. It is recommended that the Project Director (definition under Face Sheet) be listed as the primary contact. You will be able to add other persons to give them access to edit the application or associate them later if the grant is awarded.

Step 2: Under this step, an Application ID will be assigned, and Program Area, Funding Opportunity, Application Stage, and Application Status will be auto populated. Select the organization for whom you will be submitting this application. Click "Save Form Information" to start Step 3.

Step 3: Under "Additional Applicants," select any additional contacts within your organization that will also manage the grant and work on the application, to include the Project Administrator and Finance Officer (definitions under Face Sheet). No information can be released to an individual not associated with the grant in OGMS. Once you click "Save Form Information" on Step 3, you will have completed the General Information component of the application.

After General Information has been finished, you can complete the application in any order or save to return at another time.

Face Sheet: Required

- *Congressional District:* Select the Congressional District(s) that will benefit from the program. To select more than one, hold down the Ctrl key.

- *Best Practice*: This **does not apply** to the ARPA Grant Program (it is only required of JJDP programs).
- *Jurisdiction(s) Served*: Select all jurisdiction(s) served.
- *Program Title*: Provide a program title that includes the agency's name and the grant program (e.g., ARPA ABC City).
- *Certified Crime Prevention Community*: Click the hyperlink on the form to see if your locality is certified.
- *VLEPSC or CALEA Accredited*: Yes or No
- *Type of Application*: For this funding opportunity, you will choose "New."
- *Community Setting*: Check the box(es) that best describes the applicant service area.
- *Brief Project Overview*: Provide a short description of the proposed project (maximum of 750 characters).
- *Project Director*: List the person who will have the day-to-day responsibility for managing the project and provide all required contact information.
- *Project Administrator*: Name and contact information for the County Administrator or City Manager (Administrative and Fiscal Agent) who has the authority to formally commit the organization/locality to complying with all the terms of the grant application, including the provision of the required match, if applicable.
- *Finance Officer*: List the person who will be responsible for the fiscal management of the funds and provide all required contact information.

Project Narrative: All questions in this section are **required**.

- *Demonstration of Need*: Provide a description of your agency and a description of how violent crime has increased in your locality since the beginning of the pandemic. Describe your existing resources and services that are available to address the identified problems, and state why those resources and services are not adequate to address the unmet needs (maximum of 5000 characters).
- *Project Description*: Provide a detailed description of the project design and planned implementation activities. Describe how the project will reach the stated goals and the capabilities of your organization to implement and manage the project. (Maximum of 5000 characters).
- *Service Area Demographic/Target Population*: Provide a brief description of the target population to be served by your organization (maximum of 5000 characters).

Budget: **Required**

- *Budget*: Click "Edit Grid" and enter your requested state amount under the "Federal" column.

Equipment:

**Uniform Administrative Requirements (2CFR 200.1) defines equipment as tangible property having a useful life of more than one year and a per-unit cost of \$5,000 or more. If an item is less than \$5,000 than it should be listed under the Supplies and Other component in the grant application.*

- Indicate if equipment is included in your budget: yes or no. If "yes" enter the item requested, the cost per item or monthly rate, and the total number of items or months for each item.

Under the Description and Justification, select the equipment item being requested and enter in the description and justification for each item. Justification should illustrate and demonstrate the need for the equipment for the law enforcement agency. All equipment costs should be reasonable. **Additional Documentation:** Provides the option for applicants to attach supporting documentation for the equipment items and costs. Click “Add New Attachment” and upload the file. In the description box, indicate the equipment item and explain what information the file is providing.

Supplies and Other:

- Indicate if supplies and other included in your budget: yes or no. If “yes” enter the item requested, the cost per item or monthly rate, and the total number of items or months for each item. Under the Description and Justification, select the supply or item being requested and enter in the description and justification for each item. Justification should illustrate and demonstrate the need for the equipment for the law enforcement agency. All costs should be reasonable.

Attachments:

- Please upload any additional attachments required by this funding opportunity here.

General Conditions and Assurances:

- This section is required under this grant program. The Project Administrator, or the individual who has been delegated or designated as the signing authority, must certify that the grant funds give assurances and certifies that the grant will follow federal conditions.

Lobbying Disbarment:

- This section is required under this grant program. The Project Administrator, or the individual who has been delegated or designated as the signing authority, must certify that the grantee will follow the certification requirements under 28 CFR Part 69, “New Restrictions on Lobbying” and 28 CFR Part 67, “Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-free Workplace”.

Authority Certification:

- This section is **required** under this grant program. If the person completing the application is not the Project Administrator, as previously defined, information regarding the signing authority, or the delegation of such authority, should be submitted under Attachments.

XI. Reporting Requirements

Grant recipients must submit quarterly financial and status reports online to DCJS until such time that the funds are spent, and the grant is closed. Failure to comply in a timely manner may result in DCJS requesting repayment of grant funds and/or termination of the grant. DCJS will provide the grant reporting requirements at the time of grant award.

In addition to quarterly reporting, grant recipients may be required to provide data on an automated schedule to the Office of Data Governance and Analytics (“ODGA”) for the Operation Bold Blue Line dashboard. These types of data include but are not limited to violent crime counts (to include homicide, rape, robbery, aggravated assault, with and without a firearm) as well as

Law Enforcement Officer count data. ODGA will work with recipients to facilitate data collection and entry to simplify these efforts.

Grantees will also need to provide data necessary for DCJS' centralized Law Enforcement recruiting platform, including but not limited to vacancy information, open position postings, and salary and benefit information.

XII. How and Where to Submit Application

Applications must be submitted in the DCJS Online Grants Management System (OGMS) no later than 5:00 p.m. on March 24, 2023. The system will not allow applications to be submitted after the deadline, therefore, late applications will not be considered. Plan accordingly for any possible technical difficulties you may experience since the application will not be accepted after the deadline. Each application form in OGMS must be marked as complete before you can submit the application. If you receive an alert, you will need to review the form for any missing required information.

XIII. Grant Application Review Process

All applications will be reviewed as part of a review process. External/non-DCJS staff and DCJS staff will rate each application based on information provided, adherence to these Grant Guidelines, and the clarity, substance, and strength of the request made for funding. Reviewers may consider demonstrated need, geographic location, budget justification, cost-effectiveness of proposed projects, and the availability of funds. DCJS reserves the right to change program budgets based on allowable costs, justification of items, and available funding.

The Grants Committee of the Criminal Justice Services Board (CJSB) will review staff evaluations of applications. The Grants Committee will then make funding recommendations to the full CJSB.

The CJSB will make final grant award decisions at the meeting on May 11, 2023. Funding decisions made by the CJSB are final and may not be appealed.

DCJS Office of Grants Management in the Division of Finance and Administration will issue grant award packages based on the final approval of the CJSB. Fiscal and programmatic revisions may be required as a condition of funding.

Please contact the following staff for questions regarding your ARPA Grant Program application:

rr-learpagrants@dcjs.virginia.gov

For questions and technical assistance relating to the OGMS system, contact ogmssupport@dcjs.virginia.gov. Please include your grant program area in the Subject line.

A remote training will be made available to all eligible applicants on the following dates:

- Monday, March 6, 2023 - 3:00 pm –5:00 pm
- Tuesday March 7, 2023 - 9:00am –11:00 am.

A link to the remote training will be sent out and posted on the DCJS website.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB Q

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Four-for-Life Supplemental Appropriation				
MOTION(s):	I move the Board of Supervisors approve a supplemental appropriation in the amount of \$57,291.52 for the FY23 Fire and Rescue budget from unexpended Four For Life funds in FY20, FY21 and FY22.				
BOS 2 YEAR GOALS?	Yes	No	If yes, which goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Tori Melton, Director of Finance				
PRESENTER(S):	Tori Melton, Director of Finance				
RECOMMENDATION:	Approve				
TIMING:	Effective July 1, 2022				
DISCUSSION:	Upon extensive research we discovered that the 4-for-life funds (Grant funding received by the State) were not paid to LMVRS and Fluvanna County Rescue Squad in FY20, FY21, and FY22 due to a turnover within the Finance Department. All funds have been allocated to the proper EMS departments for the correct fiscal years and the expense is showing in FY23.				
FISCAL IMPACT:	Approval of the motion as stated above will allow the Finance Department to increase FY23 revenue and expenditure budgets equally within the assigned funds.				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB R

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Fluvanna County Rescue Squad Budget Transfer to Emergency Services				
MOTION(s):	I move the Board of Supervisors approve a budget transfer in the amount of \$29,250 from the FY24 Fluvanna Rescue Squad, Inc. budget to the Emergency Services Department budget to cover EMS operational costs starting July 1, 2023.				
BOS 2 YEAR GOALS?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Tori Melton, Finance Director				
PRESENTER(S):	Tori Melton, Finance Director				
RECOMMENDATION:	Recommend approval				
TIMING:	July 1, 2023				
DISCUSSION:	In the FY24 Budget, Fluvanna Rescue Squad, Inc. was budgeted an allocation for \$29,250, to cover emergency medical services operational costs from July 1, 2023 to September 30, 2023. As the County was working to hire its own Department of Emergency Services staff and get the County department operational, the County received notification from Fluvanna Rescue Squad, Inc. that they would “stop receiving the quarterly stipend that the County issues to pay for the expenses for Station 1 and fleet management”. The County Department of Emergency Services began paying for EMS operational costs starting July 1, 2023, so it is necessary to transfer the budget allocation from Fluvanna Rescue Squad, Inc. to cover the expenses.				
FISCAL IMPACT:	This would eliminate a budget allocation to Fluvanna Rescue Squad, Inc. in FY24 and increase the Department of Emergency Services budget by \$29,250.				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	<ul style="list-style-type: none"> Fluvanna Rescue Squad, Inc. Quarterly Stipend Letter 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			X



Fluvanna Rescue Squad, Incorporated
90 Rescue Lane, Palmyra, VA 22963
PO Box 96, Palmyra, VA 22963
(434) 373-0272

BOS2023-09-06 p.97/126



July 18, 2023

Jim True
Emergency Services Supervisor
Fluvanna County Administration
PO Box 540
Palmyra, VA 22963

Re: Quarterly Stipend

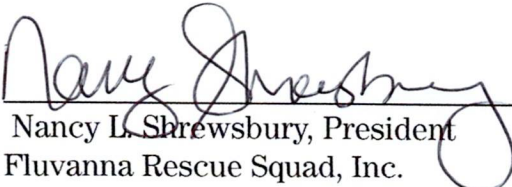
Dear Mr. True,


The Board of Directors of Fluvanna Rescue Squad, Incorporated, during the July 10th Special Meeting, motioned, seconded and unanimously voted to stop receiving the quarterly stipend that the County issues to pay for the expenses for Station 1 and fleet management. It was agreed upon that all the current outstanding invoices would be paid by the check normally issued in July. The accounts that are for Station 1, medical supplies and fleet management would be transferred or closed and will be the responsibility of Fluvanna County Emergency Services, effective immediately.

On July 26, the Board of Directors of FCRS, Inc., will convene and the future of the recognized VAOEMS agency (#0115) will be discussed and determined. The future of the incorporation is undetermined at this time and will be discussed at a later date. We will keep you informed on the Board's decisions regarding the dissolution of any assets or real property.

If you have any questions regarding the current operations, please contact Crystal Mayo at [redacted] or if you have any questions regarding the Incorporation, please contact Nancy Shrewsbury at [redacted].

Yours Truly,


Nancy L. Shrewsbury, President
Fluvanna Rescue Squad, Inc.


Crystal D. Mayo, Vice President
Fluvanna Rescue Squad, Inc.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB S

MEETING DATE:	September 6, 2023				
AGENDA TITLE:	Requesting a Deputy Sheriff/SRO position to be reclassified to a Sergeant School Resource Officer position				
MOTION(s):	I move the Board of Supervisors to approve the re-classification of a Full-time Deputy, to a Full-Time Sgt. School Resource Officer.				
STRATEGIC INITIATIVE?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Donna Snow, Director of Human Resources, and Eric Hess, Sheriff				
PRESENTER(S):	Donna Snow, Director of Human Resources, and Eric Hess, Sheriff				
RECOMMENDATION:	Approve				
TIMING:	Normal				
DISCUSSION:	<p>The proposal to promote one School Resource Officer (SRO) position to SRO-Sergeant is driven by the need to elevate the role and responsibilities of the SRO within the school environment.</p> <p>By upgrading the SRO position to include first-line supervision of the SRO Unit, we aim to enhance the effectiveness of school safety initiatives and provide a stronger leadership presence within educational institutions.</p>				
FISCAL IMPACT:	<ul style="list-style-type: none"> • The proposed reclassification of the SRO to SGT SRO will move the position from pay band 106 to pay band 108. • The retirement of a Lieutenant Deputy position, a 25 year employee, created vacancy savings. • Backfilled positions will cost less, no additional funding is being requested. 				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	<ul style="list-style-type: none"> • FY24 Sheriff's Office Annual Action Plan – Promotion of School Resource Officer Sergeant 				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X		X	X



FY 24 SHERIFF'S ANNUAL ACTION PLAN- PROMOTION OF SCHOOL RESOURCE OFFICER- SERGEANT

Creating Capacity for Growth



**FLUVANNA COUNTY SHERIFF'S OFFICE
160 COMMONS BOULEVARD
PALMYRA, VA 22963**

SRO - SERGEANT

PROPOSAL

The proposal to promote one School Resource Officer (SRO) position to SRO-Sergeant is driven by the need to elevate the role and responsibilities of the SRO within the school environment.

JUSTIFICATION

By upgrading the SRO position to include first-line supervision of the SRO Unit, we aim to enhance the effectiveness of school safety initiatives and provide a stronger leadership presence within educational institutions.

PURPOSE

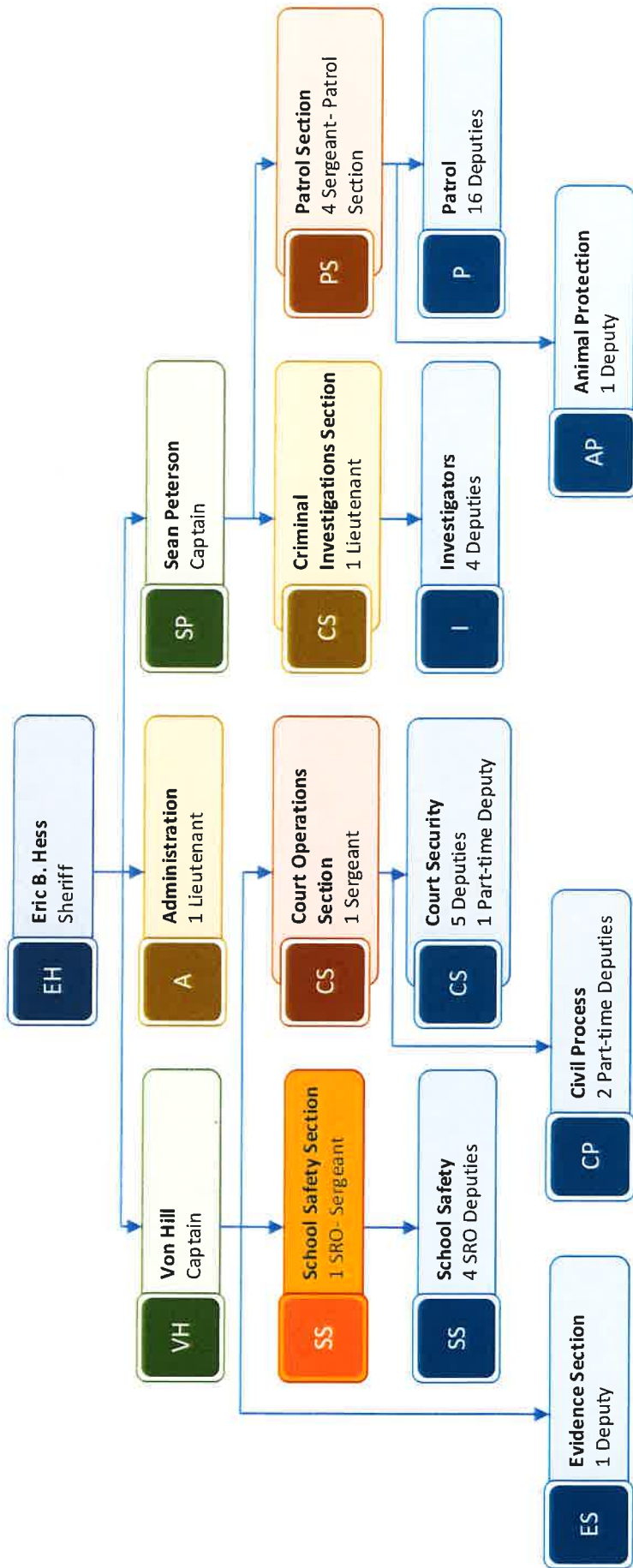
Here's why this promotion is necessary:

1. **Enhanced Supervision and Accountability:** Elevating the SRO role to the rank of Sergeant brings an added layer of supervision to the SRO Unit. This ensures that SROs have a direct line of support and guidance, enhancing their performance and accountability.
2. **Effective Communication:** The SRO-Sergeant can act as a liaison between the SRO Unit and higher levels of law enforcement command. This facilitates clear and timely communication, enabling the SRO Unit to address school safety concerns more efficiently.
3. **Specialized Training:** The promoted position can lead to opportunities for specialized training for SROs under the supervision of the SRO-Sergeant. This training can encompass both law enforcement skills and strategies specific to working within a school environment.

4. **Coordinated Response:** The SRO-Sergeant can play a pivotal role in coordinating responses to safety threats or emergencies within school premises. Their first-line supervision ensures that SROs are well-prepared to handle a variety of situations effectively.
5. **Community and Stakeholder Engagement:** The SRO-Sergeant can engage with school administrators, teachers, parents, and students more effectively. This fosters a sense of community and collaboration, strengthening the partnership between law enforcement and educational institutions.
6. **Mentorship and Professional Development:** The SRO-Sergeant can provide mentorship and professional guidance to SROs, contributing to their growth as law enforcement officers. This can lead to increased job satisfaction and retention within the SRO Unit.
7. **Resource Allocation:** The SRO-Sergeant can contribute to the allocation of resources within the SRO Unit, ensuring that staffing, equipment, and training needs are adequately addressed.
8. **Emergency Preparedness:** The SRO-Sergeant can play a key role in developing and implementing school emergency preparedness plans, ensuring that SROs are well-prepared to respond to crises effectively.
9. **Positive Role Model:** The presence of an SRO-Sergeant within the school environment serves as a positive role model for students, promoting positive interactions with law enforcement and reinforcing the importance of safety.

SUMMARY

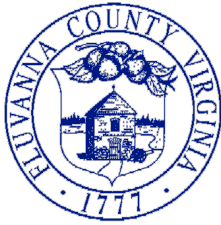
In summary, promoting the SRO position to SRO-Sergeant acknowledges the significance of the role in ensuring school safety and security. By providing first-line supervision, specialized training, and enhanced communication, we can create a safer and more supportive learning environment for students, staff, and the entire school community.



FY-24 DRAFT PROPOSAL

**FLUVANNA COUNTY BOARD OF SUPERVISORS
MEETING PACKAGE ATTACHMENTS**

Incl?	Item
<input checked="" type="checkbox"/>	BOS Contingency Balance Report
<input type="checkbox"/>	Building Inspections Report
<input checked="" type="checkbox"/>	Capital Reserve Balances Memo
<input type="checkbox"/>	Fluvanna County Bank Balance and Investment Report
<input checked="" type="checkbox"/>	Unassigned Fund Balance Report
<input type="checkbox"/>	VDOT Monthly Report & Resurfacing List
<input type="checkbox"/>	ARPA Fund Balance Memo
<input type="checkbox"/>	The Board of Supervisors Two Year Plan



COUNTY OF FLUVANNA

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www.fluvannacounty.org

MEMORANDUM

Date: June 21, 2023
From: Theresa McAllister – Management Analyst
To: Board of Supervisors
Subject: FY23 BOS Contingency Balance

The FY23 BOS Contingency line balance is as follows:

Beginning Original Budget:	\$162,000
Less: Career Development Circuit Court Clear & Commissioner of Revenue	-15,393
Less: Comprehensive Safety Action Plan Grant – Safe Streets - TJPDC	-30,000
Less: Comprehensive Economic Development Strategy (CEDS) - TJPDC	-2,097.04
Less: 2022 Board of Supervisors Planning Retreat	-5,000
Less: Social Services Salary Range Revision	-17,503
Less: BOS Contingency to County Attorney Budget – BOS Approval 08/02/2023	-91,625
Available:	\$381.96



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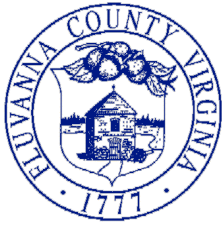
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MEMORANDUM

Date: September 6, 2023
From: Theresa McAllister – Management Analyst
To: Board of Supervisors
Subject: FY24 BOS Contingency Balance

The FY24 BOS Contingency line balance is as follows:

Beginning Original Budget:	\$146,615
Consulting Services Agreement with B.W. Murray, Inc. – Registrar – BOS Approval 07/05/2023	-\$20,000
Available:	\$126,615.00



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MEMORANDUM

Date: June 21, 2023
From: Theresa McAllister – Management Analyst
To: Board of Supervisors
Subject: FY23 Capital Reserve Balances

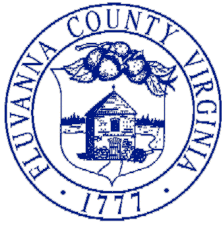
The FY23 Capital Reserve account balances are as follows:

County Capital Reserve:

FY22 Carryover	\$512,518
FY23 Budget Allocation:	\$250,000
Less: Fluvanna County District Court Microphone System Replacement	-5,963
Less: Ground Water Well Monitoring at Convenience Center	-27,050
Less: Public Safety Building 5 ton heat pump	-6,408
Less: Generator at Carysbrook Fuel Pumps	-30,000
Less: 4 ton heat pump at Fluvanna County Community Center	-8,522.36
Less: HVAC leaking evaporator coil at the Fluvanna County Library	-6,301.01
Less: FUSD Network Installation	-12,415.70
Less: Commonwealth's Attorney Office Mold Remediation	-9,800
Less: Kents Store Firehouse Remediation	-63,000
Less: Replacement of Hot Water Heating Boiler at PW's Maintenance Shop Carysbrook	-36,292
Less: Purchase and install dump body on 2001 Fprd F-550 Brush Truck that was transferred from FUFd to PW's	-17,300
Add: Closed CRM Projects 04/04/2023	1,521.97
FY23 Available:	540,987.90

Schools Capital Reserve:

FY22 Carryover	\$387,600
FY23 Budget Allocation:	\$200,000
Less: FCHS Tennis Court Repair	-63,100
Less: Emergency Radios for FCPS School and Departments	-23,910
Add: Closed CRM Project – 08/27/2022	4,884
Less: Central Elementary purchase of 3 HVAC chiller fans	-10,560
Less: Central Elementary HVAC Chiller replacing failed parts	-11,090
Less: FCHS main chiller	-6,740
Less: Fluvanna Middles School HVAC Chiller	-9,178
Add: Insurance recovery from VACORP for vandalism at FMS	38,498.27
Less: Repair and updating equipment at FMS due to vandalism	-38,498.27
Less: Central Fire Control System	-4,460
Less: FCHS Hot Water Heater	-4,435
Less: FCHS Track Surface	-16,850
Less: FMS Fire Control Main Board	-4,990
Less: FMS Fire Control System	-5,275
Less: FCPS Sewer line repairs and installing clean out	-15,500
Less: FCHS auditorium air handler and installing a new one	-7,800
Less: FCHS Centrifungal Pump	-8,524
Less: FCHS Chiller #1	-36,380
Less: Carysbrook Elementary Water Leak Repair	-21,500
Less: Central Elementary Sewer Back Up	-3,200
Less: 12 Year Replacement Cycle for (82) Fire Extinguishers at FCHS	-5,945



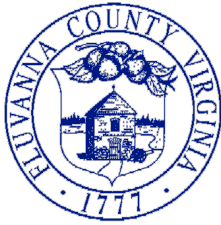
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Less: UVA Cooperative Procurement – Tennis Court Cracks	-1,100
Less: Rekortan – FCHS Track Repair	-26,630
Add: Closed CRM Projects 4/4/2023	341.98
Add: Closed CRM Projects 5/1/2023	34.00
Less: Replacing flanged silent globe check valves on the booster pump, discharge piping at water plant, and adjust pressure down on well to stop blow out	-4350
Add: Closed CRM Projects 5/18/2023	30.44
Less: Repair, installation of parts, and labor on the Air Handling Unit (AHU) at FMS	-9,880
Less: Installing new sewer main 6 inch pipe from building to existing sewer main	-32,500
FY23 Available:	258,993.42



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MEMORANDUM

Date: September 6, 2023
From: Theresa McAllister – Management Analyst
To: Board of Supervisors
Subject: FY24 Capital Reserve Balances

The FY24 Capital Reserve account balances are as follows:

County Capital Reserve:

FY23 Carryover	\$540,987.90
FY24 Budget Allocation:	\$250,000
Add: Closed CRM Projects 07/24/2023	6,477.05
Add: Closed CRM Projects 08/21/2023	3,769.97
FY24 Available:	\$801,234.92

Schools Capital Reserve:

FY23 Carryover	\$258,993.42
FY24 Budget Allocation:	\$200,000
Add: Closed CRM Projects 07/24/2023	365.93
Add: Closed CRM Projects 08/21/2023	3,071
FY24 Available:	\$462,430.35



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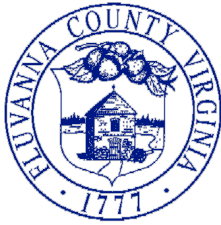
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MEMORANDUM

Date: June 21, 2023
From: Theresa McAllister – Management Analyst
To: Board of Supervisors
Subject: Unassigned Fund Balance

FY22 Year End Audited Total Unassigned Fund Balance:	\$26,519,445
Unassigned Fund Balance – 12% Target Per Policy:	\$10,215,566
Unassigned Fund Balance – Excess Above Policy Target:	\$16,303,879
Less: Palmyra Village Streetscape Project 10.19.22	-317,831
Less: Pleasant Grove Athletic Field Lighting	-108,990
Current Unassigned Fund Balance – Excess Above Policy Target:	\$15,877,058



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MEMORANDUM

Date: September 6, 2023
From: Theresa McAllister– Management Analyst
To: Board of Supervisors
Subject: Unassigned Fund Balance

*FY23 Year End (Unaudited) Unassigned Fund Balance:	\$15,877,058
Less: Palmyra Village Streetscape Project – BOS Approval 08/02/2023	-118,169
Current (Unaudited) Unassigned Fund Balance:	\$15,758,889

*Audited FY23 Year End Unassigned Fund Balance will be available upon Completion of the FY23 Comprehensive Annual Financial Report

The Board of Supervisors Two Year Plan – *Adopted September 21, 2022*

#	Complete	2022 Two Year Goals	Year 1	Year 2	Notes
A		SERVICE DELIVERY			
A1		Work with FRA to identify support options for Fire and Rescue volunteers.		X	
A2		Perform comprehensive review of existing partnerships with local area support and non-profit groups providing services to Fluvanna residents; review service gaps and identify needed partnerships.	X	X	Begin in Year 1; complete in Year 2
A3		Initiate comprehensive review of traffic throughout the county with a particular focus on high-traffic areas around the Lake Monticello community.		X	
A4		Community transportation options and alternatives.		X	Shared school buses/drivers providing transportation for county residents; TJPDC Rural Transportation work group; JAUNT
A5		Implement annual county volunteer recognition ceremony.		X	
A6		Design implementation plan for professional Fire Chief position.		X	
B		COMMUNICATION			
B1		Develop communication plan to inform residents of County projects, accomplishments, and where tax dollars are spent.		X	
C		PROJECT MANAGEMENT			
C1		Continue Columbia area renewal efforts.	X	X	

#	Complete	2022 Two Year Goals	Year 1	Year 2	Notes
C2		Complete a Master Water and Sewer (Plan Phase I) to identify sources for the county's long-term water needs; particularly for each of its community planning areas.	X		
C3		Continue Palmyra Village Streetscape	X	X	Phase I: project begins in 2025, street flow, sidewalks, and street parking on Stone Jail Street side of Civil War Park. Phase II: Crosswalks, sidewalks and parking on Main Street.
		C3.1 Review and pursue opportunities and options for a Palmyra Village Streetscape project to improve safety, parking, walkability, and overall appearance.	X		2022 Smart Scale Grant Awarded.
		C3.2 Research options for civic displays (flags, banners, Notable Residents, etc.)		X	
C4		Successfully oversee and manage Fluvanna County aspects of the James River Water Project.	X	X	
C5		Successfully oversee and manage the design and construction of the Zion Crossroads water and sewer system.	X	X	
C6		Pursue Fork Union revitalization.		X	
		C6.1 Research options for civic displays (flags, banners, Notable Residents, etc.)		X	
C7		Oversee New Administration Building project.	X	X	Multi-year project.
		C7.1 Create and Issue Request for Proposal for Design	X		
		C7.2 Select Design Firm for design of New Admin Building		X	
D		COMMUNITY DEVELOPMENT & ENRICHMENT			
D1		Draft and a formal County-wide economic development and tourism strategy inclusive of an implementation schedule.	X	X	

#	Complete	2022 Two Year Goals	Year 1	Year 2	Notes
		D1.1 Adopt Economic Development Strategic Plan.	X		
		D1.2 Implement five-year Economic Development Strategic Plan.		X	
D2		Seek opportunities to coordinate development activity at Fluvanna's northern border with Louisa County.	X	X	
D3		Hold an Economic Development Discussion Forum for local businesses with planning, zoning, building inspections, infrastructure components.	X		
D4		Investigate options for utilizing Dominion proffer - \$500,000 for recreation, green space.	X	X	
D5		Investigate opportunities to support expanded recreation opportunities, arts, and tourism.	X	X	Coordination with State agencies regarding the installation of additional boat ramps along the Rivanna and James Rivers. Fluvanna After Five @ Pleasant Grove.
D6		Research creating a "teaching farm" at PG Park.		X	Collaborative effort - FCPS? Cooperative Extension? Farm Bureau?
D7		Implement stronger Code Enforcement on the County's Spot Blight Abatement program	X	X	
D8		Review the Subdivision Ordinance on Cluster subdivisions; large lot subdivisions.		X	
D9		Review the Zoning Ordinance to look at higher density options between CPA and R4.		X	
E		FINANCIAL STEWARDSHIP AND EFFICIENCY			

#	Complete	2022 Two Year Goals	Year 1	Year 2	Notes
E1		Reduce the County's reliance on creating and mailing paper checks for payments and implement expanded ACH/EFT transaction options.	X		
E2		Implement credit card payment option for citizen at all County funds collection points through MUNIS Cashiering process.	X	X	
E3		Plan for ways to adequately fund, implement and standardize the Capital Improvement Plan, eliminating deferred CIP projects.		X	